

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [Wentworth.Paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
CC: Nelson, Victoria [nelson.victoria@epa.gov]
Subject: Monthly ATW Call
Attachments: Monthly ATW Call; Untitled Attachment; Untitled Attachment; Canceled: Monthly ATW Call
Location: Conference Call Number: Conference Line/Code / Ex. 6
Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

Appointment

To: Lindsey, William [Lindsey.William@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tate, Samuel [Tate.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]

CC: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]

Subject: Monthly ATW Call

Location: Conference Call Number: Conference Line/Code / Ex. 6

Start: 12/12/2018 4:00:00 PM

End: 12/12/2018 5:00:00 PM

Show Time As: Tentative

Recurrence: (none)

We are only going to have an hour for this month's call.

I did not receive any additional agenda items, so the Agenda is as follows:

Agenda

Deliberative Process / Ex. 5

2019 Recurring Monthly Meeting.

Conference Call Number:

Conference ID:

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Appointment

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CC: Nelson, Victoria [nelson.victoria@epa.gov]
Subject: Monthly ATW Call
Attachments: Monthly ATW Call
Location: Conference Call Number: Conference Line/Code / Ex. 6
Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
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Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]

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Attachments: Monthly ATW Call

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Start: 10/10/2018 3:00:00 PM

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Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 1/8/2018 5:02:18 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE [DCROOMARS1142@epa.gov]
Subject: Oil and Gas New Owner Audit Policy
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 1/10/2018 6:00:00 PM
End: 1/10/2018 7:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 1/29/2018 8:39:48 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Accepted: O&G New Owner Audit
Location: Tim to Call Apple's Office
Start: 1/30/2018 3:30:00 PM
End: 1/30/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [Wentworth.Paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
CC: Nelson, Victoria [nelson.victoria@epa.gov]

Subject: Monthly ATW Call

Attachments: Monthly ATW Call

Location: Conference Call Number:

Start: 10/10/2018 3:00:00 PM

End: 10/10/2018 4:30:00 PM

Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

2019 Recurring Monthly Meeting.

Conference Call Number:

Conference ID:

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Appointment

To: Lindsey, William [Lindsey.William@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]

CC: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]

Subject: Monthly ATW Call

Attachments: STRONGER MOU.pdf

Location: Conference Call Number: Conference Line/Code / Ex. 6

Start: 12/12/2018 4:00:00 PM

End: 12/12/2018 5:00:00 PM

Show Time As: Tentative

Recurrence: (none)

We are only going to have an hour for this month's call.

I did not receive any additional agenda items, so the Agenda is as follows:

Agenda

Deliberative Process / Ex. 5

2019 Recurring Monthly Meeting.

Conference Call Number:

Conference ID:

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/7/2018 9:26:00 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: New Owner Audit Program
Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/7/2018 9:26:45 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
Subject: New Owner Audit Program
Location: TBD
Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/8/2018 12:54:29 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE **Personal Phone / Ex. 6**
Subject: New Owner Audit Program
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/29/2018 12:57:26 PM
To: Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner audit program
Location: We will call Tim

Start: 3/29/2018 8:00:00 PM
End: 3/29/2018 8:30:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 4/18/2018 11:22:52 AM
To: Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]

Subject: New Owner Audit Program

Location: Personal Phone / Ex. 6 code Personal Phone / Ex. 6

Start: 4/18/2018 3:00:00 PM

End: 4/18/2018 4:00:00 PM

Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/3/2018 1:35:13 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: FW: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 8 Conference ID: Conference Line/Code / Ex. 8
Location: 3204 WJC-South
Start: 5/3/2018 3:00:00 PM
End: 5/3/2018 4:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 4/30/2018 4:59:03 PM
To: Traylor, Patrick [traylor.patrick@epa.gov]

Subject: Accepted: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 6
Location: 3216 WJC-South Conference ID: Conference Line/Code / Ex. 8

Start: 5/3/2018 3:00:00 PM
End: 5/3/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/21/2018 4:47:06 PM
To: Patefield, Scott [Patefield.Scott@epa.gov]
Subject: New Owner Audit Program
Location: I will call you
Start: 8/21/2018 7:00:00 PM
End: 8/21/2018 7:30:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/23/2018 4:42:23 PM
To: Porter, Amy [Porter.Amy@epa.gov]
Subject: Accepted: Update on O&G audit program
Location: 3118B

Start: 8/27/2018 6:30:00 PM
End: 8/27/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/10/2018 7:45:13 PM
To: Lee Fuller [lfuller@ipaa.org]
Subject: New Owner Audit Program
Start: 5/23/2018 8:00:00 PM
End: 5/23/2018 9:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/9/2018 6:14:46 PM
To: Porter, Amy [Porter.Amy@epa.gov]
Subject: Accepted: Tribal Consultation for O&G audit program
Location: 3118B

Start: 5/11/2018 1:30:00 PM
End: 5/11/2018 2:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/30/2018 7:52:49 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: Canceled: Hold for stakeholder meetings oil and gas audit program
Location: TBD
Start: 6/7/2018 4:00:00 AM
End: 6/8/2018 4:00:00 AM
Show Time As: Free
Importance: High

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/30/2018 7:52:39 PM
To: Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: Canceled: Hold for stakeholder meetings oil and gas audit program
Location: TBD
Start: 6/6/2018 4:00:00 AM
End: 6/7/2018 4:00:00 AM
Show Time As: Free
Importance: High

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/24/2018 9:13:17 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]

Subject: Accepted: Bruin New Owner Self Audit - Check-in

Location: Personal Phone / Ex. 6 code Personal Phone / Ex. 8

Start: 5/25/2018 4:00:00 PM

End: 5/25/2018 5:00:00 PM

Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/21/2018 1:59:31 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: Hold for stakeholder meetings oil and gas audit program
Location: TBD
Start: 6/7/2018 4:00:00 AM
End: 6/8/2018 4:00:00 AM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/21/2018 1:58:48 PM
To: Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: Hold for stakeholder meetings oil and gas audit program
Location: TBD
Start: 6/6/2018 4:00:00 AM
End: 6/7/2018 4:00:00 AM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/23/2018 12:21:32 PM
To: Lee Fuller [lfuller@ipaa.org]
Subject: New Owner Audit Program
Start: 5/23/2018 7:00:00 PM
End: 5/23/2018 7:30:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/27/2018 4:18:44 PM
To: Porter, Amy [Porter.Amy@epa.gov]
Subject: New Time Proposed: Update on O&G audit program
Location: 3118B

Start: 8/27/2018 6:30:00 PM
End: 8/27/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/27/2018 5:47:44 PM
To: Porter, Amy [Porter.Amy@epa.gov]
Subject: Declined: Update on O&G audit program
Location: 3118B

Start: 8/29/2018 5:00:00 PM
End: 8/29/2018 5:30:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 12/4/2017 3:35:57 PM
To: Bohan, Suzanne [bohan.suzanne@epa.gov]
Subject: Accepted: FW: Self-Audit Discussion
Location: Suzanne's Office - Call in number to be provided
Start: 12/4/2017 7:30:00 PM
End: 12/4/2017 8:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/7/2018 7:14:42 PM
To: Bodine, Susan [bodine.susan@epa.gov]
Subject: Accepted: EPAs Self Disclosure Program
Location: 3126 WJC-South
Start: 2/16/2018 4:15:00 PM
End: 2/16/2018 5:30:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 5:20:47 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: New Owner Audit Program
Start: 2/9/2018 7:00:00 PM
End: 2/9/2018 8:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 8:04:34 PM
To: Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner Audit oil and gas
Start: 2/12/2018 4:00:00 PM
End: 2/12/2018 5:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 5:20:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]

Subject: New Owner Audit Program

Location: Personal Phone / Ex. 6

Start: 2/9/2018 7:00:00 PM

End: 2/9/2018 8:00:00 PM

Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 8:04:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner Audit oil and gas
Location: Personal Phone / Ex. 6
Start: 2/12/2018 4:00:00 PM
End: 2/12/2018 5:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/21/2018 4:47:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
Subject: New Owner Audit Program
Location: I will call you

Start: 8/21/2018 7:00:00 PM
End: 8/21/2018 7:30:00 PM
Show Time As: Busy

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 1/29/2018 8:37:14 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: O&G New Owner Audit
Location: Tim to Call Apple's Office
Start: 1/30/2018 3:30:00 PM
End: 1/30/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 5/24/2018 8:41:12 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; North, Alexis [North.Alexis@epa.gov]
CC: Portmess, Jessica [Portmess.Jessica@epa.gov]

Subject: Bruin New Owner Self Audit - Check-in

Location: Personal Phone / Ex. 6 code Personal Phone / Ex. 6

Start: 5/25/2018 4:00:00 PM
End: 5/25/2018 5:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/7/2018 9:26:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE [Personal Phone / Ex. 6]
Subject: New Owner Audit Program
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 4/30/2018 4:47:13 PM
To: Traylor, Patrick [traylor.patrick@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
CC: Jonesi, Gary [Jonesi.Gary@epa.gov]

Subject: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 6, Conference ID: Conference Line/Code / Ex. 6

Location: 3204 WJC-South

Start: 5/3/2018 3:00:00 PM

End: 5/3/2018 4:00:00 PM

Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/10/2018 7:45:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Lee Fuller [lfuller@ipaa.org]
Subject: New Owner Audit Program

Start: 5/23/2018 7:00:00 PM
End: 5/23/2018 7:30:00 PM
Show Time As: Busy

Appointment

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/9/2018 6:07:33 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Tribal Consultation for O&G audit program
Location: 3118B
Start: 5/11/2018 1:30:00 PM
End: 5/11/2018 2:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 1/8/2018 5:02:20 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE [Personal Phone / Ex. 6]
Subject: Oil and Gas New Owner Audit Policy
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 1/10/2018 6:00:00 PM
End: 1/10/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/10/2018 7:46:45 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program

Start: 5/23/2018 8:00:00 PM
End: 5/23/2018 9:00:00 PM
Show Time As: Busy

Recurrence: (none)

Appointment

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/11/2018 12:26:05 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Tribal Consultation for O&G audit program
Location: 3118B
Start: 5/11/2018 1:30:00 PM
End: 5/11/2018 2:00:00 PM
Show Time As: Tentative

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/21/2018 1:59:47 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: Hold for stakeholder meetings oil and gas audit program
Location: TBD

Start: 6/6/2018 4:00:00 AM
End: 6/7/2018 4:00:00 AM
Show Time As: Busy

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/21/2018 2:00:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: Hold for stakeholder meetings oil and gas audit program
Location: TBD

Start: 6/7/2018 4:00:00 AM
End: 6/8/2018 4:00:00 AM
Show Time As: Busy

Appointment

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 1/8/2018 5:02:57 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: Oil and Gas New Owner Audit Policy
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE

Start: 1/10/2018 6:00:00 PM
End: 1/10/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 1/8/2018 5:03:35 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: Oil and Gas New Owner Audit Policy
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE

Start: 1/10/2018 6:00:00 PM
End: 1/10/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 12/4/2017 5:29:55 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: Self-Audit Discussion - call in number added
Location: Suzanne's Office [Personal Phone / Ex. 6] / Code [Personal Phone / Ex. 6]
Start: 12/4/2017 7:30:00 PM
End: 12/4/2017 8:00:00 PM
Show Time As: Tentative

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/29/2018 12:56:46 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner audit program
Location: We will call Tim
Start: 3/29/2018 8:00:00 PM
End: 3/29/2018 8:30:00 PM
Show Time As: Busy

Appointment

From: Stahle, Susan [Stahle.Susan@epa.gov]
Sent: 4/18/2018 1:25:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program

Location: Personal Phone / Ex. 6 code Personal Phone / Ex. 6

Start: 4/18/2018 3:00:00 PM
End: 4/18/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Bailey, Ethel [Bailey.Ethel@epa.gov]
Sent: 5/3/2018 1:08:41 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 6 Conference ID: Conference Line/Code / Ex. 8
Location: 3204 WJC-South
Start: 5/3/2018 3:00:00 PM
End: 5/3/2018 4:00:00 PM
Show Time As: Tentative

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 3/29/2018 2:02:10 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: New Owner audit program
Location: We will call Tim

Start: 3/29/2018 8:00:00 PM
End: 3/29/2018 8:30:00 PM
Show Time As: Busy

Appointment

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 3/29/2018 12:57:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner audit program
Location: We will call Tim

Start: 3/29/2018 8:00:00 PM
End: 3/29/2018 8:30:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 4/18/2018 11:22:49 AM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]
Subject: New Owner Audit Program
Location:
Start: 4/18/2018 3:00:00 PM
End: 4/18/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE **Personal Phone / Ex. 6**
Sent: 3/8/2018 12:54:33 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE

Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM

Recurrence: (none)

Appointment

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 3/7/2018 9:26:21 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program

Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM

Recurrence: (none)

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 3/7/2018 9:30:42 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: New Owner Audit Program
Location: TBD

Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 3/8/2018 11:49:19 AM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program
Location: TBD

Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Loving, Shanita [Loving.Shanita@epa.gov]
Sent: 2/7/2018 5:13:19 PM
To: Washington, Debra; Chapman, Apple [Chapman.Apple@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]; Cathey, Tawanna [Cathey.Tawanna@epa.gov]

Subject: EPAs Self Disclosure Program
Location: 3126 WJC-South

Start: 2/16/2018 4:15:00 PM
End: 2/16/2018 5:30:00 PM
Show Time As: Tentative

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 2/9/2018 5:24:06 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: New Owner Audit Program

Start: 2/9/2018 7:00:00 PM
End: 2/9/2018 8:00:00 PM
Show Time As: Busy

Appointment

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 2/9/2018 5:43:48 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program

Start: 2/9/2018 7:00:00 PM
End: 2/9/2018 8:00:00 PM

Recurrence: (none)

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 2/9/2018 8:05:17 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: New Owner Audit oil and gas

Start: 2/12/2018 4:00:00 PM
End: 2/12/2018 5:00:00 PM
Show Time As: Busy

Appointment

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 2/9/2018 8:05:50 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit oil and gas

Start: 2/12/2018 4:00:00 PM
End: 2/12/2018 5:00:00 PM
Show Time As: Busy

Appointment

From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 2/5/2018 5:43:30 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]
CC: Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: EPAs Self Disclosure Program
Location: 3126 WJC-South
Start: 2/16/2018 4:15:00 PM
End: 2/16/2018 5:30:00 PM
Show Time As: Busy

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [Wentworth.Paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
CC: Nelson, Victoria [nelson.victoria@epa.gov]
Subject: Monthly ATW Call
Attachments: Monthly ATW Call
Location: Conference Call Number: Conference Line/Code / Ex. 6
Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [Wentworth.Paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
CC: Nelson, Victoria [nelson.victoria@epa.gov]

Subject: Monthly ATW Call
Attachments: Monthly ATW Call; Untitled Attachment; Untitled Attachment
Location: Conference Call Number: Conference Line/Code / Ex. 6

Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

2019 Recurring Monthly Meeting.

Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

**Memorandum of Understanding Between
The State Review of Oil and Natural Gas Environmental Regulations and
The U.S. Environmental Protection Agency**

Section 1: Purpose and Scope

This document is a memorandum of understanding (MOU) between State Review of Oil and Natural Gas Environmental Regulations (STRONGER) and the United States Environmental Protection Agency (EPA).

In recognition of shared missions and responsibilities, the parties enter into this MOU with the purpose of facilitating greater collaboration and to achieve greater success in the effort to protect human health and the environment.

In the spirit of cooperative federalism, the parties recognize that success in protecting human health and the environment outcome cannot be fully realized by any single entity operating alone. Rather, the balance is achieved when states, in conjunction with affected communities, work together with the EPA to build partnerships rooted in trust and respect.

Whereas STRONGER is a 501(C)(3) nonprofit, multi-stakeholder, educational organization whose mission is to enhance protection of human health and the environment by providing services for the continuous improvement of state oil and natural gas environmental regulatory programs, and

Whereas the EPA is a U.S. federal agency with the responsibility of protecting human health and the environment, and

Whereas the EPA spearheaded the effort to reinvigorate the state review process in conjunction with stakeholders resulting in the creation of STRONGER in 1999 to ensure effective state oil and natural gas regulatory programs, and

Now, therefore, in the spirit of cooperative federalism and shared missions, STRONGER and the EPA enter in to this MOU.

Section 2: Authorities and Limitations

1. The EPA enters into this MOU pursuant to section 104 of the Clean Water Act (CWA), section 300j-1 of the Safe Drinking Water Act, section 103 of the Clean Air Act (CAA), section 8001 of the Solid Waste Disposal Act, and section 102(2)G of the National Environmental Policy Act (NEPA).
2. Nothing in this MOU alters the responsibilities or statutory authorities, policies, guidance of the EPA or the responsibilities of STRONGER.

3. This MOU does not restrict any future agreements between the EPA and STRONGER.
4. This MOU does not, in and of itself, obligate either party to expend funds. All commitments made by EPA are subject to the availability of appropriated funds. Any endeavor involving reimbursement, contribution, or financial assistance between the EPA and STRONGER will be handled according to applicable laws, regulations, and procedures; including policies relating to competition for contracts and assistance agreements, and subject to separate agreements. Neither party will submit a claim for compensation to the other party for activities carried out under this MOU.
5. This MOU is not legally binding on either party and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity by any person against any party to the MOU.
6. Under Federal ethics rules, the EPA may not endorse products or services provided by private entities. Nothing in this MOU constitutes an endorsement by either party of the products, services, and/or fundraising activities of the other.

Section 3: Objectives and Responsibilities

The objectives of this MOU are to:

1. Affirm EPA's commitment to meaningful participation in STRONGER's efforts to develop guidelines for state oil and natural gas environmental regulatory programs, conduct reviews of such programs and publish reports of those reviews.
2. Improve communication, coordination and collaboration between EPA and STRONGER on responsible oil and natural gas exploration and development activities.

The parties commit to the following responsibilities:

1. With the approval of the EPA's Office of General Counsel, two EPA officials (one from the Office of Air and Radiation and one from the Office of Land and Emergency Management) will continue to serve as *ex officio*, non-voting liaisons to the STRONGER Board of Directors. The EPA officials will always represent the interests of the EPA.
2. STRONGER will continue to develop and improve its guidelines for the evaluation of state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with an update when the guidelines change.


3. STRONGER will continue to review state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with state review reports.
4. Identify and implement projects and activities that are in the mutual interest of both STRONGER and the EPA, consistent with EPA's authority and within EPA's legal and ethical constraints.
5. Participate in quarterly or periodic conference calls with the EPA's Office of Congressional and Intergovernmental Relations to identify opportunities to collaborate on oil and natural gas stakeholder activities relevant to the scope and purpose of this MOU.


Section 4: Signatures


This MOU is to take effect upon the signature of all the parties listed below and remain in effect for a period of three years, or until modified by mutual written consent. Prior to the end of three years, STRONGER and the EPA agree to discuss an extension of this MOU for mutual benefit. Either party may terminate its participation in this MOU by providing written notice to the other party at least ninety days prior to the desired termination date.

For the State Review of Oil and Natural Gas
Environmental Regulations:


For the U.S. Environmental Protection
Agency:


Signature and Date
Bradley C. Lambert
Chairman

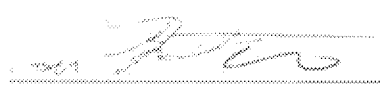

11/29/18


Signature and Date
Andrew R. Wheeler
Acting Administrator

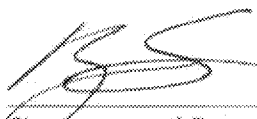
11-29-18


Signature and Date
Gary E. Slagel
Vice Chairman

11/28/18


Signature and Date
Jon W. Goldstein
Treasurer

11-28-18


Signature and Date
Ryan M. Steadley
Executive Director

11-28-18

Appointment

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CC: Nelson, Victoria [nelson.victoria@epa.gov]

Subject: Monthly ATW Call
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Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
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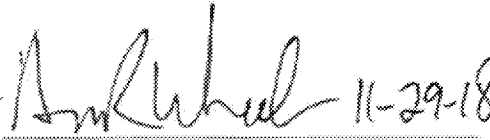
Section 4: Signatures

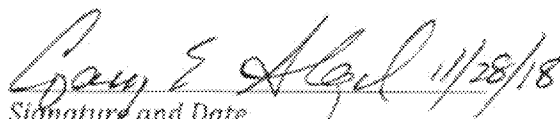
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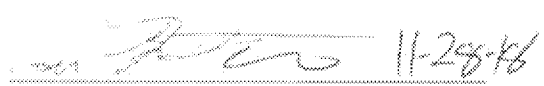
For the State Review of Oil and Natural Gas
Environmental Regulations:


For the U.S. Environmental Protection
Agency:


Signature and Date
Bradley C. Lambert
Chairman


Signature and Date
Andrew R. Wheeler
Acting Administrator


Signature and Date
Gary E. Slagel
Vice Chairman


Signature and Date
Jon W. Goldstein
Treasurer


Signature and Date
Ryan M. Steadley
Executive Director

Appointment

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 12/4/2017 3:34:48 PM
To: Bohan, Suzanne [bohan.suzanne@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: Self-Audit Discussion - call in number added
Location: Suzanne's Office / Code
Start: 12/4/2017 7:30:00 PM
End: 12/4/2017 8:00:00 PM
Show Time As: Busy

Appointment

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The State Review of Oil and Natural Gas Environmental Regulations and
The U.S. Environmental Protection Agency**

Section 1: Purpose and Scope

This document is a memorandum of understanding (MOU) between State Review of Oil and Natural Gas Environmental Regulations (STRONGER) and the United States Environmental Protection Agency (EPA).

In recognition of shared missions and responsibilities, the parties enter into this MOU with the purpose of facilitating greater collaboration and to achieve greater success in the effort to protect human health and the environment.

In the spirit of cooperative federalism, the parties recognize that success in protecting human health and the environment outcome cannot be fully realized by any single entity operating alone. Rather, the balance is achieved when states, in conjunction with affected communities, work together with the EPA to build partnerships rooted in trust and respect.

Whereas STRONGER is a 501(C)(3) nonprofit, multi-stakeholder, educational organization whose mission is to enhance protection of human health and the environment by providing services for the continuous improvement of state oil and natural gas environmental regulatory programs, and

Whereas the EPA is a U.S. federal agency with the responsibility of protecting human health and the environment, and

Whereas the EPA spearheaded the effort to reinvigorate the state review process in conjunction with stakeholders resulting in the creation of STRONGER in 1999 to ensure effective state oil and natural gas regulatory programs, and

Now, therefore, in the spirit of cooperative federalism and shared missions, STRONGER and the EPA enter in to this MOU.

Section 2: Authorities and Limitations

1. The EPA enters into this MOU pursuant to section 104 of the Clean Water Act (CWA), section 300j-1 of the Safe Drinking Water Act, section 103 of the Clean Air Act (CAA), section 8001 of the Solid Waste Disposal Act, and section 102(2)G of the National Environmental Policy Act (NEPA).
2. Nothing in this MOU alters the responsibilities or statutory authorities, policies, guidance of the EPA or the responsibilities of STRONGER.

3. This MOU does not restrict any future agreements between the EPA and STRONGER.
4. This MOU does not, in and of itself, obligate either party to expend funds. All commitments made by EPA are subject to the availability of appropriated funds. Any endeavor involving reimbursement, contribution, or financial assistance between the EPA and STRONGER will be handled according to applicable laws, regulations, and procedures; including policies relating to competition for contracts and assistance agreements, and subject to separate agreements. Neither party will submit a claim for compensation to the other party for activities carried out under this MOU.
5. This MOU is not legally binding on either party and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity by any person against any party to the MOU.
6. Under Federal ethics rules, the EPA may not endorse products or services provided by private entities. Nothing in this MOU constitutes an endorsement by either party of the products, services, and/or fundraising activities of the other.

Section 3: Objectives and Responsibilities

The objectives of this MOU are to:

1. Affirm EPA's commitment to meaningful participation in STRONGER's efforts to develop guidelines for state oil and natural gas environmental regulatory programs, conduct reviews of such programs and publish reports of those reviews.
2. Improve communication, coordination and collaboration between EPA and STRONGER on responsible oil and natural gas exploration and development activities.

The parties commit to the following responsibilities:

1. With the approval of the EPA's Office of General Counsel, two EPA officials (one from the Office of Air and Radiation and one from the Office of Land and Emergency Management) will continue to serve as *ex officio*, non-voting liaisons to the STRONGER Board of Directors. The EPA officials will always represent the interests of the EPA.
2. STRONGER will continue to develop and improve its guidelines for the evaluation of state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with an update when the guidelines change.


3. STRONGER will continue to review state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with state review reports.
4. Identify and implement projects and activities that are in the mutual interest of both STRONGER and the EPA, consistent with EPA's authority and within EPA's legal and ethical constraints.
5. Participate in quarterly or periodic conference calls with the EPA's Office of Congressional and Intergovernmental Relations to identify opportunities to collaborate on oil and natural gas stakeholder activities relevant to the scope and purpose of this MOU.


Section 4: Signatures


This MOU is to take effect upon the signature of all the parties listed below and remain in effect for a period of three years, or until modified by mutual written consent. Prior to the end of three years, STRONGER and the EPA agree to discuss an extension of this MOU for mutual benefit. Either party may terminate its participation in this MOU by providing written notice to the other party at least ninety days prior to the desired termination date.

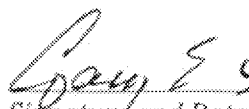
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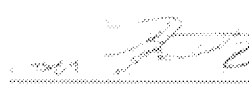
For the U.S. Environmental Protection
Agency:



Signature and Date
Bradley C. Lambert
Chairman


11/29/18


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Andrew R. Wheeler
Acting Administrator


Signature and Date
Gary E. Slagel
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Jon W. Goldstein
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Signature and Date
Ryan M. Steadley
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Appointment

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CC: Nelson, Victoria [nelson.victoria@epa.gov]

Subject: Monthly ATW Call

Attachments: Monthly ATW Call

Location: Conference Call Number: Conference Line/Code / Ex. 6

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End: 10/10/2018 4:30:00 PM

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the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

2019 Recurring Monthly Meeting.

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Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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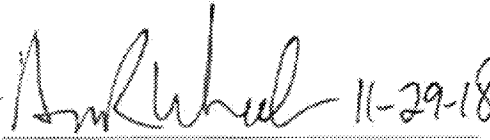
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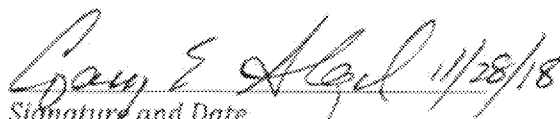
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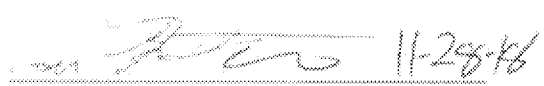
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Subject: Monthly ATW Call
Attachments: Monthly ATW Call; Untitled Attachment; Untitled Attachment; Canceled: Monthly ATW Call; Untitled Attachment
Location: Conference Call Number: Conference Line/Code / Ex. 6
Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

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2019 Recurring Monthly Meeting.

Conference Call Number:

Conference ID:

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

**Memorandum of Understanding Between
The State Review of Oil and Natural Gas Environmental Regulations and
The U.S. Environmental Protection Agency**

Section 1: Purpose and Scope

This document is a memorandum of understanding (MOU) between State Review of Oil and Natural Gas Environmental Regulations (STRONGER) and the United States Environmental Protection Agency (EPA).

In recognition of shared missions and responsibilities, the parties enter into this MOU with the purpose of facilitating greater collaboration and to achieve greater success in the effort to protect human health and the environment.

In the spirit of cooperative federalism, the parties recognize that success in protecting human health and the environment outcome cannot be fully realized by any single entity operating alone. Rather, the balance is achieved when states, in conjunction with affected communities, work together with the EPA to build partnerships rooted in trust and respect.

Whereas STRONGER is a 501(C)(3) nonprofit, multi-stakeholder, educational organization whose mission is to enhance protection of human health and the environment by providing services for the continuous improvement of state oil and natural gas environmental regulatory programs, and

Whereas the EPA is a U.S. federal agency with the responsibility of protecting human health and the environment, and

Whereas the EPA spearheaded the effort to reinvigorate the state review process in conjunction with stakeholders resulting in the creation of STRONGER in 1999 to ensure effective state oil and natural gas regulatory programs, and

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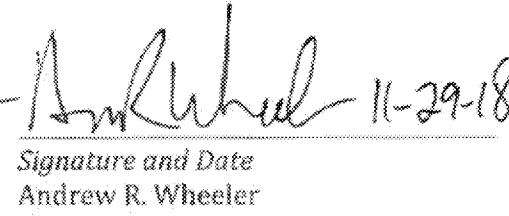
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From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:49:29 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buening, Hans [Buening.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kline, James [Kline.James@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [Wentworth.Paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Bates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
CC: Nelson, Victoria [nelson.victoria@epa.gov]

Subject: Monthly ATW Call
Attachments: Monthly ATW Call; Untitled Attachment; Untitled Attachment; Canceled: Monthly ATW Call
Location: Conference Call Number:
Start: 10/10/2018 3:00:00 PM
End: 10/10/2018 4:30:00 PM
Show Time As: Tentative

Recurrence: Monthly
the second Wednesday of every 1 month(s) from 11:00 AM to 12:30 PM

2019 Recurring Monthly Meeting.

Conference Call Number:
Conference ID:

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

**Memorandum of Understanding Between
The State Review of Oil and Natural Gas Environmental Regulations and
The U.S. Environmental Protection Agency**

Section 1: Purpose and Scope

This document is a memorandum of understanding (MOU) between State Review of Oil and Natural Gas Environmental Regulations (STRONGER) and the United States Environmental Protection Agency (EPA).

In recognition of shared missions and responsibilities, the parties enter into this MOU with the purpose of facilitating greater collaboration and to achieve greater success in the effort to protect human health and the environment.

In the spirit of cooperative federalism, the parties recognize that success in protecting human health and the environment outcome cannot be fully realized by any single entity operating alone. Rather, the balance is achieved when states, in conjunction with affected communities, work together with the EPA to build partnerships rooted in trust and respect.

Whereas STRONGER is a 501(C)(3) nonprofit, multi-stakeholder, educational organization whose mission is to enhance protection of human health and the environment by providing services for the continuous improvement of state oil and natural gas environmental regulatory programs, and

Whereas the EPA is a U.S. federal agency with the responsibility of protecting human health and the environment, and

Whereas the EPA spearheaded the effort to reinvigorate the state review process in conjunction with stakeholders resulting in the creation of STRONGER in 1999 to ensure effective state oil and natural gas regulatory programs, and

Now, therefore, in the spirit of cooperative federalism and shared missions, STRONGER and the EPA enter in to this MOU.

Section 2: Authorities and Limitations

1. The EPA enters into this MOU pursuant to section 104 of the Clean Water Act (CWA), section 300j-1 of the Safe Drinking Water Act, section 103 of the Clean Air Act (CAA), section 8001 of the Solid Waste Disposal Act, and section 102(2)G of the National Environmental Policy Act (NEPA).
2. Nothing in this MOU alters the responsibilities or statutory authorities, policies, guidance of the EPA or the responsibilities of STRONGER.

3. This MOU does not restrict any future agreements between the EPA and STRONGER.
4. This MOU does not, in and of itself, obligate either party to expend funds. All commitments made by EPA are subject to the availability of appropriated funds. Any endeavor involving reimbursement, contribution, or financial assistance between the EPA and STRONGER will be handled according to applicable laws, regulations, and procedures; including policies relating to competition for contracts and assistance agreements, and subject to separate agreements. Neither party will submit a claim for compensation to the other party for activities carried out under this MOU.
5. This MOU is not legally binding on either party and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity by any person against any party to the MOU.
6. Under Federal ethics rules, the EPA may not endorse products or services provided by private entities. Nothing in this MOU constitutes an endorsement by either party of the products, services, and/or fundraising activities of the other.

Section 3: Objectives and Responsibilities

The objectives of this MOU are to:

1. Affirm EPA's commitment to meaningful participation in STRONGER's efforts to develop guidelines for state oil and natural gas environmental regulatory programs, conduct reviews of such programs and publish reports of those reviews.
2. Improve communication, coordination and collaboration between EPA and STRONGER on responsible oil and natural gas exploration and development activities.

The parties commit to the following responsibilities:

1. With the approval of the EPA's Office of General Counsel, two EPA officials (one from the Office of Air and Radiation and one from the Office of Land and Emergency Management) will continue to serve as *ex officio*, non-voting liaisons to the STRONGER Board of Directors. The EPA officials will always represent the interests of the EPA.
2. STRONGER will continue to develop and improve its guidelines for the evaluation of state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with an update when the guidelines change.


3. STRONGER will continue to review state oil and natural gas environmental regulatory programs as resources allow. STRONGER will provide the EPA with state review reports.
4. Identify and implement projects and activities that are in the mutual interest of both STRONGER and the EPA, consistent with EPA's authority and within EPA's legal and ethical constraints.
5. Participate in quarterly or periodic conference calls with the EPA's Office of Congressional and Intergovernmental Relations to identify opportunities to collaborate on oil and natural gas stakeholder activities relevant to the scope and purpose of this MOU.

Section 4: Signatures


This MOU is to take effect upon the signature of all the parties listed below and remain in effect for a period of three years, or until modified by mutual written consent. Prior to the end of three years, STRONGER and the EPA agree to discuss an extension of this MOU for mutual benefit. Either party may terminate its participation in this MOU by providing written notice to the other party at least ninety days prior to the desired termination date.

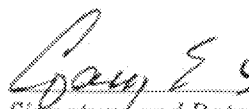
For the State Review of Oil and Natural Gas
Environmental Regulations:

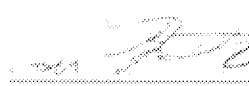
For the U.S. Environmental Protection
Agency:



Signature and Date
Bradley C. Lambert
Chairman


11/29/18


Signature and Date
Andrew R. Wheeler
Acting Administrator


Signature and Date
Gary E. Slagel
Vice Chairman


Signature and Date
Jon W. Goldstein
Treasurer


Signature and Date
Ryan M. Steadley
Executive Director

Appointment

From: Headen, Candace [Headen.Candace@epa.gov]
Sent: 7/26/2017 7:28:16 PM
To: Headen, Candace [Headen.Candace@epa.gov]; Seager, Cheryl [Seager.Cheryl@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Welton, Patricia [Welton.Patricia@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Barnett, Cheryl [Barnett.Cheryl@epa.gov]
Subject: Range
Attachments: Range Audit Agreement Draft 7.26.17 v3 (Clean Copy).docx; Range Audit Agreement Draft 7.26.17 v4.docx
Location: Personal Phone / Ex. 6 Code: Personal Phone / Ex. 6
Start: 7/28/2017 3:00:00 PM
End: 7/28/2017 4:00:00 PM
Show Time As: Busy

Attorney-Client / Deliberative Process / Ex. 5

Candace Headen
Assistant Regional Counsel
U.S. Environmental Protection Agency – Region 6
1445 Ross Avenue (6RC-EA)
Dallas, TX 75202
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Email: headen.candace@epa.gov

Appointment

From: Headen, Candace [Headen.Candace@epa.gov]
Sent: 7/11/2017 2:00:03 PM
To: Headen, Candace [Headen.Candace@epa.gov]; Morrison, Matthew W. [matthew.morrison@pillsburylaw.com]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
CC: Louis Buatt [LBuatt@liskow.com]

Subject: Range Call
Attachments: Range Revisions to Audit Agreement July 11, 2017 4829-9282-8491 v.1.docx; Sample New Owner Self-Disclosure Questionnaire.pdf
Location: **Code:**

Start: 7/11/2017 8:00:00 PM
End: 7/11/2017 9:00:00 PM
Show Time As: Tentative

Matt - Please forward to the Range team. We will be discussing Range's edits to the draft audit agreement (attached).

Thank you!

Candace Headen
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Email: headen.candace@epa.gov

SAMPLE COMPANY X NEW OWNER SELF-DISCLOSURE QUESTIONNAIRE

Please provide the information responsive to each of the following inquiries, for each potential violation *Company X* (“*Company X*” or “the *Company*”) is disclosing and certifying as eligible for “new owner” treatment, under the “Interim Approach to Applying the Audit Policy to New Owners.”

However, when the response to a certain question would be the same with respect to all, or some portion, of the violations being disclosed, Company X may provide the information once, and need not repeat it on a violation-by-violation basis, so long as Company X clearly and unambiguously identifies the scope of violations to which the information applies. For example, if the Company determines that none of the potential violations being disclosed resulted in a fatality, community evacuation or other seriously injurious event, Company X may make a single statement to that effect, along with the requisite description of how it reached that conclusion. Similarly, if the information sought pertains to most but not all violations, the Company might say “Unless otherwise specified below, all of the violations disclosed herein were discovered via an environmental audit” (and then provide a single narrative description of the audit process).

EPA strongly recommends that Company X submit all violation-specific information sought in this Questionnaire in tabular form.

1. Describe the violation and state the specific regulatory, permit and/or statutory provision violated (include state regulations and/or references where appropriate). Include all relevant technical information, including, if applicable: chemical(s) involved; quantity of material(s) stored, released, spilled, or disposed of; full description(s) of emissions source(s), tank(s), treatment unit(s), or other equipment, with the dates they were installed and began operations, and their capacities.
2. Identify the facility at which the violation occurred, including its full address and a description of facility operations. State the date the facility began operations and the date of the closing of the transaction that resulted in *Company X* becoming the facility’s new owner.
3. State whether the violation was discovered A) through a pre-acquisition due diligence review or B) post-acquisition, by means of a systematic, internal, environmental audit or through a compliance management system.

A. If the violation was discovered by means of a pre-acquisition due diligence review of environmental compliance:

- (1) State the date(s) on which the review that identified the violation was conducted.
- (2) Describe the scope of the review, how and by whom it was conducted and how the review was documented.
- (3) Explain how the violation was discovered. Please be as detailed as possible.

B. If the violation was discovered after *Company X* acquired the facility:

(1) If the violation was discovered by means of an environmental audit, provide the following information:

- State the date(s) on which the environmental audit or systematic procedure or practice that identified the violation was being conducted.
- State the current or intended frequency of environmental audits of the Company facilities involved.
- Describe the relationship between facility and the person(s) responsible for conducting environmental audits. Explain how *Company X* ensures that the auditor's tasks or inquiries are carried out in an objective and unobstructed manner. Include in your answer a discussion of the manner in which personnel, financial, or other potential conflicts of interest are avoided between employees of the facility and the individuals conducting an audit.
- Provide a copy of written audit directives, policies and procedures for the facility. The requested policies and procedures should indicate the scope of the audit, the process for examining audit findings, the protocol for communicating audit results to *Company X* management, auditor conflict of interest policy, auditor education and training requirements, any directives to follow up on audit findings to correct identified problems and prevent their recurrence, and follow-up measures.
- Explain how the violation was discovered. Please be as detailed as possible.

(2) If the violation was discovered through a "compliance management system," as defined in EPA's Audit Policy, explain, in detail, how the Company's practices and procedures leading to the discovery of the violation constitute such a system. Also explain in detail how the violation was discovered.

4. Was the violation identified through an activity that *Company X* was legally required to perform, such as under a state or federal statute, regulation or permit, or under the terms of a judicial or administrative order or consent agreement? If so, identify the authority under which the activity was required. Also identify when, after facility acquisition, the Company was first required to perform the activity.

5. Is the violation required to be reported under any federal or state statute, regulation or permit? If so, identify each such statute, regulation, or permit.

6. State the date on which the violation was discovered. If *Company X* believed additional analysis or information was needed after the audit/systematic procedure or practice to determine whether a violation existed, state the reasons for the additional analysis.

7. Identify the name, title, and employer of each individual who discovered the violation.

8. If the violation was discovered by an independent auditor (that is, by a person not employed by *Company X*), provide the date and the manner in which the Company was made aware of the violation.

9. When was the violation disclosed to EPA? If disclosure of the violation did not occur within forty-five (45) days of the transaction closing or twenty-one (21) days of the date of discovery, or such shorter period as may be provided by law, please explain, in detail, the reasons that the violation was not promptly disclosed.

10. Explain in detail all measures taken to correct or remediate the violation. State the length of time it took or will take to complete these measures. If more than 60 days was needed or will be needed to correct the violation, please explain fully and provide the opinion of any technical or engineering expert relied upon to arrive at that estimate or conclusion.

11. Explain in detail all measures taken or to be taken to ensure that the violation disclosed will not be repeated. If applicable, include in your discussion any improvements made to *Company X*'s environmental auditing or compliance management systems in an attempt to prevent recurrence of the violation.

12. Did the violation result in a fatality, community evacuation, or other seriously injurious or catastrophic event? Provide a full explanation of how this conclusion was reached.

13. Did the violation violate the specific terms of a judicial or administrative order or consent agreement? If so, please identify the order or agreement.

14. What was the cost to return to compliance? Determine such costs, associated with the violation, including: internal staff or outside consultants' time to become familiar with the regulations, determining which chemicals meet/exceed reporting thresholds, preparing forms/plans/permits, submitting forms to appropriate agencies, fees collected by state or other regulatory agencies, release detection equipment, pollution control equipment, and secondary containment or start-up costs for plan implementation or tank monitoring.

15. Is the Company eligible to be considered a “new owner,” under the “Interim Approach to Applying the Audit Policy to New Owners?” Certify below that:¹

- A. Prior to the transaction, the Company was not responsible for environmental compliance at the facility that is the subject of the disclosure, did not cause the violation being disclosed and could not have prevented its occurrence;
- B. The violation that is the subject of the disclosure originated with the prior owner; and
- C. Prior to the transaction, neither the Company nor the prior owner of the facility had the largest ownership share of the other entity, and they did not have a common corporate parent.

I certify under penalty of the law that this document and any attachments were prepared under my direction and, to the best of my knowledge and belief, the facts and statements therein are true, accurate and complete. Furthermore, I understand that eligibility for, and any mitigation of penalties under, the “Interim Approach to Applying the Audit Policy to New Owners” and EPA’s Audit Policy is conditioned on the truth, accuracy and completeness of these statements.

Name of Authorized Certifying Corporate Officer

Signature of Authorized Certifying Corporate Officer

Date

¹ Concurrent with final administrative or civil resolution of this matter, *Company X* may be required to re-certify that: it meets the conditions of EPA’s Audit Policy, as modified for new owners; it meets the three new owner criteria listed in Question 15; and all facts and statements upon which the release is based are true, accurate and complete.

Appointment

From: Headen, Candace [Headen.Candace@epa.gov]
Sent: 6/22/2017 9:22:53 PM
To: Headen, Candace [Headen.Candace@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Welton, Patricia [Welton.Patricia@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]
Subject: Range Call De-brief
Attachments: Range's Proposed Audit, Permitting, and Corrective Action Plans 4829-5247-3930 v.1.docx
Location: Call-In Number: Personal Phone / Ex. 6 ; Code: Personal Phone / Ex. 6
Start: 6/23/2017 3:00:00 PM
End: 6/23/2017 4:00:00 PM
Show Time As: Busy

Attorney-Client / Deliberative Process / Ex. 5

Thanks,

Candace Headen
Assistant Regional Counsel
U.S. Environmental Protection Agency – Region 6
1445 Ross Avenue (6RC-EA)
Dallas, TX 75202
Phone: 214.665.8133
Email: headen.candace@epa.gov

Appointment

From: Headen, Candace [Headen.Candace@epa.gov]
Sent: 6/21/2017 10:01:47 PM
To: Headen, Candace [Headen.Candace@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Welton, Patricia [Welton.Patricia@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Morrison, Matthew W. [matthew.morrison@pillsburylaw.com]
CC: Celena Cage [Celena.Cage@LA.GOV]; (Lourdes.Iturralde@LA.GOV) [Lourdes.Iturralde@LA.GOV]; Michelle McCarthy [Michelle.McCarthy@LA.GOV]; perry.theriot@la.gov [Perry.Theriot@LA.GOV]
Subject: Range Audit Scheduling Meeting
Attachments: Range's Proposed Audit, Permitting, and Corrective Action Plans 4829-5247-3930 v.1.docx
Location: R6-ConfRm-PecosSunflower-09D10/R6--09th-Floor; Call-In Number: [Personal Phone / Ex. 6]; Code: [Personal Phone / Ex. 6]
Start: 6/22/2017 8:00:00 PM
End: 6/22/2017 9:00:00 PM
Show Time As: Tentative

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Please let me know if you have any questions or concerns.

Thanks,

Candace Headen
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1445 Ross Avenue (6RC-EA)
Dallas, TX 75202
Phone: 214.665.8133
Email: headen.candace@epa.gov

Appointment

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 11/5/2018 8:07:02 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Kline, James [Kline.James@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
CC: Segall, Martha [Segall.Martha@epa.gov]; Duffy, Rick [Duffy.Rick@epa.gov]; Jann, Stephen [jann.stephen@epa.gov]; Fields, Jenifer [fields.jenifer@epa.gov]; Fernandez, Cristina [Fernandez.Cristina@epa.gov]; Campbell, Dave [Campbell.Dave@epa.gov]; Servidio, Cosmo [Servidio.Cosmo@epa.gov]; Dressel, Paul [DRESSEL.PAUL@EPA.GOV]; Kler, Denis [Kler.Denis@epa.gov]; Rodrigues, Cecil [rodrigues.cecil@epa.gov]; Libertz, Catherine [Libertz.Catherine@epa.gov]
Subject: Energy Extraction and Production NCI: Briefing for and Discussion with NCI Executive Board
Attachments: Energy Extraction and Production NCI November 2018.ppt
Location: Conference Call # Conference Line/Code / Ex. 6 ID: Conference Line/Code / Ex. 6
Start: 11/13/2018 3:30:00 PM
End: 11/13/2018 4:30:00 PM
Show Time As: Busy

Updated to attach the PowerPoint presentation to be used during the briefing.

For Headquarter folks, the briefing will be held in Conference Room 7216.

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 10/10/2018 8:03:09 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner Program Check-In
Attachments: OG New Owner Program - Audit Agreement - Rev Draft_Redline_v2_10.03.2018.docx
Location: Phill's Office /// Call-In Number: Conference Line/Code / Ex. 6 / Conference ID: Conference Line/Code / Ex.
Start: 10/19/2018 5:00:00 PM
End: 10/19/2018 6:00:00 PM
Show Time As: Busy

Attorney-Client / Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 8/21/2018 4:47:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
Subject: New Owner Audit Program
Location: I will call you

Start: 8/21/2018 7:00:00 PM
End: 8/21/2018 7:30:00 PM
Show Time As: Busy

Appointment

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 5/24/2018 8:41:12 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; North, Alexis [North.Alexis@epa.gov]
CC: Portmess, Jessica [Portmess.Jessica@epa.gov]

Subject: Bruin New Owner Self Audit - Check-in

Location: code

Start: 5/25/2018 4:00:00 PM
End: 5/25/2018 5:00:00 PM
Show Time As: Busy

Folks,

Hoping you guys can bring me up to speed on the Bruin new owner audit.

Greg

Appointment

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 5/24/2018 3:26:19 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Biweekly "Ping" for Upcoming UOG POC Call
Location: I will call you - does your number forward?

Start: 5/24/2018 7:30:00 PM
End: 5/24/2018 8:00:00 PM
Show Time As: Busy

From: Chapman, Apple
Sent: Thursday, May 24, 2018 11:24 AM
To: Mia, Marcia
Subject: RE: Biweekly "Ping" for Upcoming UOG POC Call

Yes, I have an update. Can we chat later this afternoon. I am WAH.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Mia, Marcia
Sent: Thursday, May 24, 2018 11:20 AM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Kabler, Lauren <Kabler.Lauren@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Mazakas, Pam <Mazakas.Pam@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Spriggs, Gwendolyn <Spriggs.Gwendolyn@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Ziegel, Dean <Ziegel.Dean@epa.gov>
Subject: RE: Biweekly "Ping" for Upcoming UOG POC Call

Hello All,

The UOG POC call is next Tuesday. Please let me know of anything I should raise, or otherwise know about, for the call.

Apple, Update on the New Owner Audit?

Jonathan – we will chat on Tuesday.

Thanks in advance!

May contain sensitive communication for internal deliberations only, attorney-client communication, attorney work product, and/or enforcement sensitive information. Do not distribute outside the U.S. Government.

Marcia B Mia

Unconventional Oil and Gas Point of Contact (UOG POC)

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

202-564-7042

Appointment

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/11/2018 5:01:52 PM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; DCRoomARS3142/DC-ARIEL-RIOS-OECA-OCE [Personal Phone / Ex. 6]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners
Location: 3142 South and [Personal Phone / Ex. 6] or [Personal Phone / Ex. 6] Extension: [Personal Phone / Ex. 6] Code: [Personal Phone / Ex. 6]
Start: 5/14/2018 4:30:00 PM
End: 5/14/2018 5:00:00 PM
Show Time As: Busy

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

May 07, 2018

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

Once finalized, the draft would replace a default presumption under the current 2008 audit policy that new owners have 60 days to correct environmental violations they discover. More flexible language in the new plan allows the agency and the owner to negotiate the timeframe for proposed fixes.

The agreement, however, does call on participating companies to correct some violations within 60 days or seek an extension, including emissions violations "unrelated to engineering and/or design issues," according to its text.

The policy appears aimed at equipment leaks that could release emissions of both ozone-forming volatile organic compounds and the potent greenhouse gas methane, with several direct references to storage tanks or related equipment.

The draft policy, on which EPA is seeking public comment until June 4, follows through with prior indications from EPA officials that they are looking for ways to strike a more collaborative tone with the oil and gas industry.

That includes past statements from EPA officials that the 2008 audit policy is better tailored to a few individual facilities, not hundreds of operations now changing ownership within the oil and gas sector.

"We think it would be wise to take that policy and create a stand-alone program on the side for use only in the oil and gas sector -- at this point at least -- to streamline the new owner audit policy," said EPA enforcement official Patrick Traylor during a March 20 meeting of the Environmental Council of the States.

The new policy would use a standard oil and gas audit informed by a prior agreement with Texas gas producer Range Resources Corporation.

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 5/10/2018 7:45:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Lee Fuller [lfuller@ipaa.org]
Subject: New Owner Audit Program

Start: 5/23/2018 7:00:00 PM
End: 5/23/2018 7:30:00 PM
Show Time As: Busy

You can reach me at 202-564-5666. Please let me know if you intend to invite anyone else to participate in the discussion. We can set up a conference line instead. Thanks.

Appointment

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/9/2018 6:07:33 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Tribal Consultation for O&G audit program
Location: 3118B
Start: 5/11/2018 1:30:00 PM
End: 5/11/2018 2:00:00 PM
Show Time As: Busy

Call in number

Personal Phone / Ex. 6

Appointment

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 4/30/2018 4:47:13 PM
To: Traylor, Patrick [traylor.patrick@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
CC: Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 6, Conference ID: Conference Line/Code / Ex. 6
Location: 3204 WJC-South
Start: 5/3/2018 3:00:00 PM
End: 5/3/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 4/18/2018 11:22:49 AM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]
Subject: New Owner Audit Program
Location: code
Start: 4/18/2018 3:00:00 PM
End: 4/18/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/29/2018 12:56:46 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner audit program
Location: We will call Tim
Start: 3/29/2018 8:00:00 PM
End: 3/29/2018 8:30:00 PM
Show Time As: Busy

Let me know if this works. I reviewed the template and want to have a quick discussion. It looked really good.
Thank you!

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 3/7/2018 9:26:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE **Personal Phone / Ex. 6**
Subject: New Owner Audit Program
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 3/13/2018 6:00:00 PM
End: 3/13/2018 7:00:00 PM
Show Time As: Busy

Appointment

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 3/5/2018 10:49:59 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Buterbaugh, Kristin [Buterbaugh.Kristin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Dressel, Paul [DRESSEL.PAUL@EPA.GOV]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; Jann, Stephen [jann.stephen@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Chavez, Kimberly [Chavez.Kimberly@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]
Subject: EEPI Briefing with Executive Board
Attachments: Energy Extraction and Production NEI March 2018 Final.pptx
Location: Conference Call # [Conference Line/Code / Ex. 6] conference ID: [Conference Line/Code / Ex. 6]
Start: 3/14/2018 5:00:00 PM
End: 3/14/2018 6:30:00 PM
Show Time As: Busy

Please note new Conference ID number: [Conference Line/Code / Ex. 6]

For those able to call in and hear the SIT's discussion with the Executive Board, I have attached the Power Point Presentation to allow you to follow along.

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 8:04:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner Audit oil and gas
Location: Personal Phone / Ex. 6
Start: 2/12/2018 4:00:00 PM
End: 2/12/2018 5:00:00 PM
Show Time As: Busy

DC folks can meet in my office.

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 2/9/2018 5:20:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Tim Sullivan (Sullivan.Tim@epa.gov) [Sullivan.Tim@epa.gov]
Subject: New Owner Audit Program
Location: Personal Phone / Ex. 6
Start: 2/9/2018 7:00:00 PM
End: 2/9/2018 8:00:00 PM
Show Time As: Busy

Use the conference.

Appointment

From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 2/5/2018 5:43:30 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]
CC: Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: EPAs Self Disclosure Program
Location: 3126 WJC-South
Start: 2/16/2018 4:15:00 PM
End: 2/16/2018 5:30:00 PM
Show Time As: Busy

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 1/29/2018 8:37:14 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: O&G New Owner Audit
Location: Tim to Call Apple's Office
Start: 1/30/2018 3:30:00 PM
End: 1/30/2018 4:00:00 PM
Show Time As: Busy

Appointment

From: Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]
Sent: 1/8/2018 5:02:20 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Tim Sullivan [Sullivan.Tim@epa.gov] [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
BCC: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE **Personal Phone / Ex. 6**
Subject: Oil and Gas New Owner Audit Policy
Attachments: Range Resources New Owner Audit Agreement Request Letter.pdf; Range Audit Agreement EPA Final Response Letter 8-9-17.pdf
Location: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE
Start: 1/10/2018 6:00:00 PM
End: 1/10/2018 7:00:00 PM
Show Time As: Busy

Kick off meeting - Goal is to develop a New Owner Audit Policy/Audit Policy applicable only to the oil and gas sector.

Appointment

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 12/4/2017 3:34:48 PM
To: Bohan, Suzanne [bohan.suzanne@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: Self-Audit Discussion - call in number added
Location: Suzanne's Office [Personal Phone / Ex. 6] / Code [Personal Phone / Ex. 6]
Start: 12/4/2017 7:30:00 PM
End: 12/4/2017 8:00:00 PM
Show Time As: Busy

Attorney-Client / Deliberative Process / Ex. 5

Message

From: Salazar, Matt [Salazar.Matt@epa.gov]
Sent: 7/3/2018 8:24:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: From Greenwire -- AIR POLLUTION: Oil producers fault EPA's 'punitive' self-audit plan

Hi Apple,

Thank you for sharing.

Matt

From: Chapman, Apple

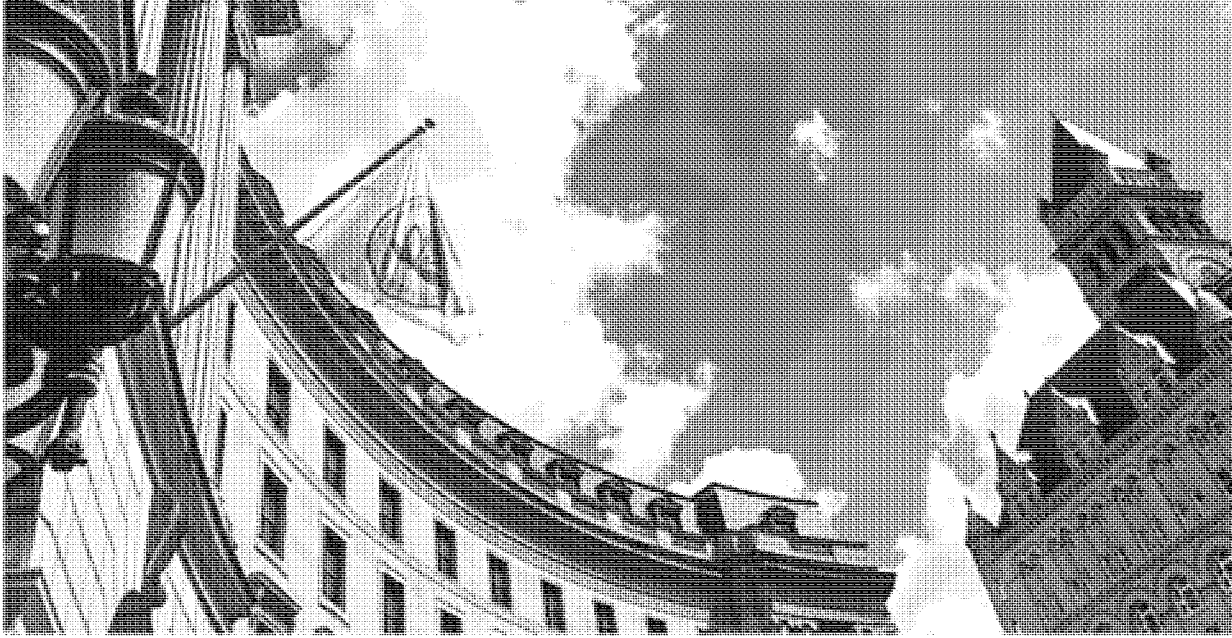
Sent: Tuesday, July 03, 2018 6:34 AM

To: Mia, Marcia <Mia.Marcia@epa.gov>; Adams, Sydnee <Adams.Sydnee@epa.gov>; Au, Doreen <Au.Doreen@epa.gov>; augustine, bruce <augustine.bruce@epa.gov>; Basinger, David <Basinger.David@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Bellairs, Katharina <bellairs.katharina@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>; Breneman, Sara <breneman.sara@epa.gov>; Buening, Hans <Buening.Hans@epa.gov>; Campbell, Jean <Campbell.Jean@epa.gov>; Cheever, Robert <cheever.robert@epa.gov>; Chew, Andrew <Chew.Andrew@epa.gov>; Daniel, Kevin <Daniel.Kevin@epa.gov>; Dubose, Dick <DuBose.Dick@epa.gov>; Eisele, Adam <Eisele.Adam@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Flores, Carlos <Flores.Carlos@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Glowacki, Joanna <glowacki.joanna@epa.gov>; Groendyke, Todd <Groendyke.Todd@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Hamre, Martha <Hamre.Martha@epa.gov>; Herrera, Esteban <Herrera.Esteban@epa.gov>; Hoffman, Jocelyn <Hoffman.Jocelyn@epa.gov>; Hunt, Mary <Hunt.Mary@epa.gov>; Iatropulos, Jamie <Iatropulos.jamie@epa.gov>; Jones, John-L <jones.john-l@epa.gov>; Kaleri, Cynthia <kaleri.cynthia@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Kline, James <Kline.James@epa.gov>; Landsman, Allison <Landsman.Allison@epa.gov>; Larson, Darrin <Larson.Darrin@epa.gov>; Law, Nicole <Law.Nicole@epa.gov>; Lawrence, Kathryn <Lawrence.Kathryn@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Loiacono, Sara <loiacono.sara@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Lundelius, Diana <Lundelius.Diana@epa.gov>; Magyar, Raymond <Magyar.Raymond@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Malave, Maria <Malave.Maria@epa.gov>; Mastro, Donna <Mastro.Donna@epa.gov>; McFadden, Angela <McFadden.Angela@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; morris, makeba <morris.makeba@epa.gov>; Muller, Sheldon <Muller.Sheldon@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Patel, Shilpa <patel.shilpa@epa.gov>; wentworth, paul <wentworth.paul@epa.gov>; Fulweiler, Pete <Fulweiler.Peter@epa.gov>; Prout, Susan <prout.susan@epa.gov>; Radford, Nicole <Radford.Nicole@epa.gov>; Rapp, Steve <Rapp.Steve@epa.gov>; Reed, Wendell <Reed.Wendell@epa.gov>; Rieck, Stephen <Rieck.Stephen@epa.gov>; Robledo, Tony <Robledo.Tony@epa.gov>; Root, Kathleen <Root.Kathleen@epa.gov>; Rountree, Marthea <Rountree.Marthea@epa.gov>; Salazar, Matt <Salazar.Matt@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>; Smith, Mark A. <Smith.Marka@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Stovern, Michael <Stovern.Michael@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Bates, Samuel <Bates.Samuel@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Tong, Stanley <Tong.Stanley@epa.gov>; Topinka, Natalie <topinka.natalie@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Vyas, Himanshu <vyas.himanshu@epa.gov>; Welsh, Mike <Welsh.Mike@epa.gov>; Werner, Leslye <Werner.Leslye@epa.gov>; Willard, Erin <Willard.ErinM@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Zafonte, Charles <Zafonte.Charles@epa.gov>
Subject: RE: From Greenwire -- AIR POLLUTION: Oil producers fault EPA's 'punitive' self-audit plan

ENFORCEMENT

Greens wary of EPA self-audit, not dead-set opposed

Published: Friday, June 29, 2018



EPA headquarters in Washington. Maxine Joselow/E&E News

Environmental advocates yesterday raised concerns about the Trump administration's plan to let oil and gas producers self-report air pollution violations but didn't dismiss it out of hand.

Andrew Grinberg, a national campaign manager for Clean Water Action, said his group supports the "self-audit" for new owners, to the extent that it could increase compliance. But he also expressed wariness.

"We are pretty concerned that this could be used as a way to undermine enforcement," Grinberg said during a public session at EPA headquarters. "Given this administration and Administrator [Scott] Pruitt's record on enforcement throughout the agency, we have come to view enforcement with this agency with some skepticism."

Leann Leiter of Earthworks said her group would like to see the audits done by independent third parties, rather than the companies themselves. Among other concerns, Earthworks would like to see methane emissions specifically listed as part of the program.

Leiter also asked what would prevent companies from "offloading" polluting wells onto a new company that could evade fines by participating in the self-audit for new owners.

Advertisement

EPA officials have said that trying to use the program in bad faith to evade enforcement would be against the law. And they have said the agency is not abandoning tough enforcement.

Industry representatives at the stakeholder meeting said they support the concept but voiced concerns that EPA's plan is too rigid and seems aimed at punishing companies that self-report violations, rather than fostering cooperation ([Energywire](#), June 26).

Industry members also worry that the current design of the program creates confusion about the role of states in enforcement. Oil and gas producers generally dislike federal regulation and prefer regulation by state agencies, which often take a more cooperative approach.

The self-audit plan is being shepherded by EPA's enforcement chief, Susan Bodine. It is intended to address emissions from storage tanks used to hold oil, petroleum liquids and wastewater. That's one of the biggest sources of pollution from oil and gas operations.

If approved, the proposal would allow companies that acquire new oil and gas operations to self-audit their newly acquired properties and report any problems to EPA. The companies would then have a flexible timeline to fix the problems. In exchange, EPA would waive all or most of the civil penalties that would normally apply. The plan could be in place by October.

EPA already has had a "new owner" program for traditional manufacturing plants since 2008. The agency has had difficulty applying it to the oil and gas industry because a typical oil field can include hundreds of tanks and other facilities.

Storage tanks are one of the major sources of pollution from the oil and gas industry. Volatile organic compounds such as benzene can leak from pressure-relief valves or from improperly secured hatches. In many cases, truck drivers open the tanks to the atmosphere when they measure the liquids that collect in tanks. Several workers have died from the effects of the toxic gases.

Despite the focus on cooperation, Bodine has also said she is "shocked" at how often environmental violations occur. Her comments were not focused on the oil and gas industry.

Inspections of "energy extraction" sites dropped by one-third in Pruitt's first fiscal year, according to EPA's website. But the number of concluded cases rose slightly.

Twitter: [@MikeSoraghan](#) Email: msoraghan@eenews.net

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | 202-841-6076 (mobile) |

From: Mia, Marcia

Sent: Tuesday, July 03, 2018 9:25 AM

To: Adams, Sydnee <Adams.Sydnee@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Au, Doreen <Au.Doreen@epa.gov>; augustine, bruce <augustine.bruce@epa.gov>; Basinger, David <Basinger.David@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Bellairs, Katharina <bellairs.katharina@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>; Breneman, Sara <breneman.sara@epa.gov>; Buenning, Hans <Buenning.Hans@epa.gov>; Campbell, Jean <Campbell.Jean@epa.gov>; Cheever, Robert <cheever.robert@epa.gov>; Chew, Andrew <Chew.Andrew@epa.gov>; Daniel, Kevin <Daniel.Kevin@epa.gov>; Dubose, Dick <DuBose.Dick@epa.gov>; Eisele, Adam <Eisele.Adam@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Flores, Carlos <Flores.Carlos@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Glowacki, Joanna <glowacki.joanna@epa.gov>; Groendyke, Todd <Groendyke.Todd@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Hamre, Martha <Hamre.Martha@epa.gov>; Herrera, Esteban <Herrera.Esteban@epa.gov>; Hoffman, Jocelyn <Hoffman.Jocelyn@epa.gov>; Hunt, Mary <Hunt.Mary@epa.gov>; Iatropulos, Jamie <Iatropulos.jamie@epa.gov>; Jones, John-L <jones.john-l@epa.gov>; Kaleri, Cynthia <kaleri.cynthia@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Kline, James <Kline.James@epa.gov>; Landsman, Allison <Landsman.Allison@epa.gov>; Larson, Darrin <Larson.Darrin@epa.gov>; Law, Nicole <Law.Nicole@epa.gov>; Lawrence, Kathryn <Lawrence.Kathryn@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Loiacono, Sara <loiacono.sara@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Lundelius, Diana <Lundelius.Diana@epa.gov>; Magyar, Raymond <Magyar.Raymond@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Malave, Maria <Malave.Maria@epa.gov>; Mastro, Donna <Mastro.Donna@epa.gov>; McFadden, Angela <McFadden.Angela@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; morris, makeba <morris.makeba@epa.gov>; Muller, Sheldon <Muller.Sheldon@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Patel, Shilpa <patel.shilpa@epa.gov>; wentworth, paul <wentworth.paul@epa.gov>; Fulweiler, Pete <Fulweiler.Peter@epa.gov>; Prout, Susan <prout.susan@epa.gov>; Radford, Nicole <Radford.Nicole@epa.gov>; Rapp, Steve <Rapp.Steve@epa.gov>; Reed, Wendell <Reed.Wendell@epa.gov>; Rieck, Stephen <Rieck.Stephen@epa.gov>; Robledo, Tony <Robledo.Tony@epa.gov>; Root, Kathleen <Root.Kathleen@epa.gov>; Rountree, Marthea <Rountree.Marthea@epa.gov>; Salazar, Matt <Salazar.Matt@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>; Smith, Mark A. <Smith.Marka@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Stovern, Michael <Stovern.Michael@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Tate, Samuel <Tate.Samuel@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Tong,

Stanley <Tong.Stanley@epa.gov>; Topinka, Natalie <topinka.natalie@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Vyas, Himanshu <vyas.himanshu@epa.gov>; Welsh, Mike <Welsh.Mike@epa.gov>; Werner, Leslye <Werner.Leslye@epa.gov>; Willard, Erin <Willard.ErinM@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Zafonte, Charles <Zafonte.Charles@epa.gov>
Subject: FW: From Greenwire -- AIR POLLUTION: Oil producers fault EPA's 'punitive' self-audit plan

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Beeler.cindy [mailto:email_this@eenews.net]
Sent: Monday, July 02, 2018 7:30 PM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>
Subject: From Greenwire -- AIR POLLUTION: Oil producers fault EPA's 'punitive' self-audit plan

This Greenwire story was sent to you by: Beeler.cindy@epa.gov

Personal message: Marcia - share with O& G ATW if you reckon relevant, svp.

GREENWIRE

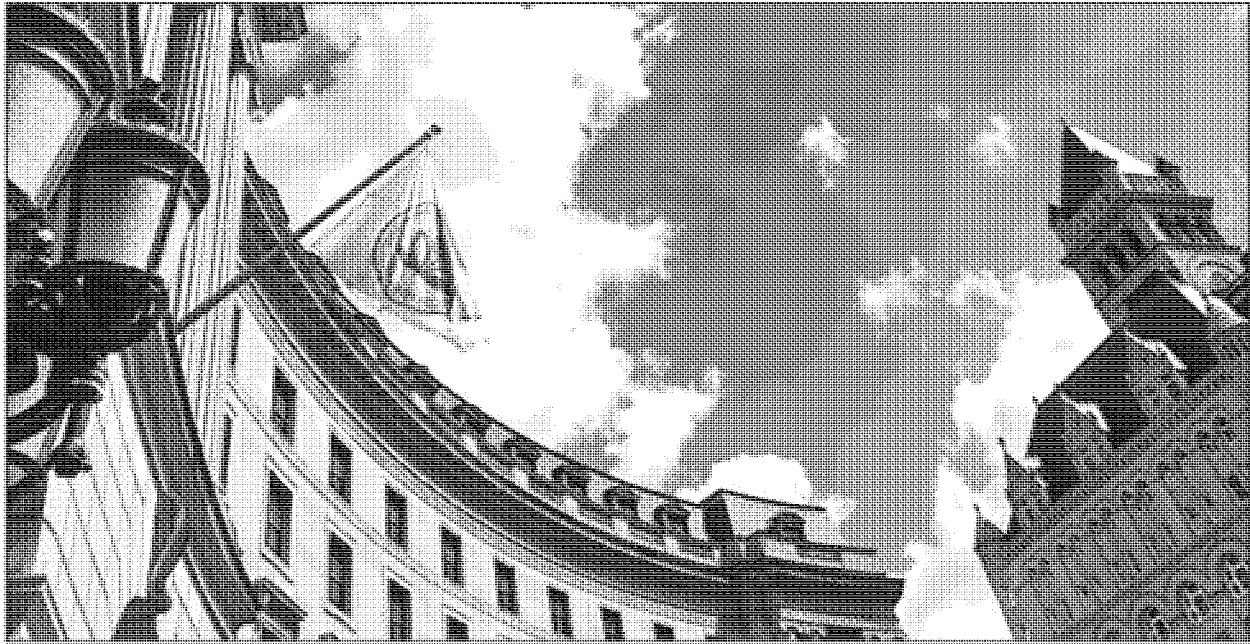
AN E&E NEWS PUBLICATION

AIR POLLUTION

Oil producers fault EPA's 'punitive' self-audit plan

Maxine Joselow and Mike Soraghan, E&E News reporters

Published: Thursday, June 28, 2018



EPA headquarters in Washington. Maxine Joselow/E&E News

Correction appended

Oil and gas industry officials told EPA today the Trump administration's plan for letting them self-report air pollution violations doesn't go far enough.

Industry representatives said they support the concept but voiced concerns that EPA's plan is too rigid and seems aimed at punishing companies that self-report violations, rather than fostering cooperation.

"A new owner audit program should not start from a punitive perspective," said Western Energy Alliance President Kathleen Sgamma. "We find it should start from one of cooperation."

At a "stakeholder" meeting on the proposal at EPA's Washington headquarters, industry members said they fear the current design of the program creates confusion about state roles. Oil and gas producers generally dislike federal regulation and prefer regulation by state agencies, which often take a more cooperative approach.

Lee Fuller, executive vice president of the Independent Petroleum Association of America, said industry needs certainty about whether state or federal regulators are "driving the train."

"It's important for the regulatory entity to know who they're dealing with under all circumstances," Fuller said. "In an area like compliance, if we're dealing with the state and we're dealing with EPA and the state has delegated authority, it's important to know who the actor is going to be who's driving the train."

EPA sought to block public and press access to stakeholder meetings last month on chemical contamination, with mixed success ([Greenwire](#), May 22).

An information sheet on today's meeting told participants that "Media will not be excluded from attending." Another session is scheduled for this afternoon.

The Trump administration's EPA enforcement chief, Susan Bodine, has proposed the self-audit plan. It is intended to address emissions from storage tanks used to hold oil, petroleum liquids and wastewater. That's one of the biggest sources of pollution from oil and gas operations (Energywire, May 7).

If approved, the proposal would allow companies that acquire new oil and gas operations to self-audit their newly acquired properties and report any problems to EPA. The companies would then have a flexible timeline to fix the problems. In exchange, EPA would waive all or most of the civil penalties that would normally apply. The plan could be in place by October.

The program is part of the administration's effort to forge a collaborative relationship with the energy industry. But officials say they won't abandon tough enforcement.

EPA already has had a "new owner" program for traditional manufacturing plants since 2008. The agency has had difficulty applying it to the oil and gas industry because a typical oil field can include hundreds of tanks and other facilities.

Storage tanks are one of the major sources of pollution from the oil and gas industry. Volatile organic compounds such as benzene can leak from pressure-relief valves or from improperly secured hatches. In many cases, truck drivers open the tanks to the atmosphere when they measure the liquids that collect in tanks. Several workers have died from the effects of the toxic gases (Energywire, Aug. 22, 2017).

The administration's proposal is similar to the approach that a half-dozen oil-producing states have taken, sometimes through informal processes. EPA Administrator Scott Pruitt has pushed for states to take a greater role in environmental regulation and enforcement, making "cooperative federalism" a key focus of his tenure.

Texas and North Dakota have laws on the books that allow their state oil regulators to waive penalties for companies that report their own violations, state officials said during a roundtable discussion. Texas doesn't allow penalties to be waived, though, in cases that cause actual harm.

The Colorado Oil and Gas Conservation Commission adopted a similar policy in 2014, but it stipulates that the program doesn't apply to cases involving fraud, willful misconduct or gross negligence. Sgamma said she worried that EPA's proposal is too similar to Colorado's "punitive" program.

Despite the focus on cooperation, Bodine has also said she is "shocked" at how often environmental violations occur. Her comments were not focused on the oil and gas industry (Greenwire, April 23).

Inspections of "energy extraction" sites dropped by one-third in Pruitt's first fiscal year, according to EPA's website. But the number of concluded cases rose slightly.

Correction: A previous version of this article indicated that criminal penalties can be waived; only civil penalties can be waived under the proposal for companies that self-report violations.

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/12/2018 6:59:34 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Stakeholder Meeting Follow Up

Yes, and I will get back to Matt.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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From: Chapman, Apple
Sent: Thursday, July 12, 2018 12:58 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: Stakeholder Meeting Follow Up

Can you see my calendar? Please get back to Matt on some suggested dates/times. Preferably the week of August 6 so I have some time to catch up after I get back to the office. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Thursday, July 12, 2018 12:59 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: John Wagner <Wagner@api.org>; 'Wayne D'Angelo' <wdangelo@kelleydrye.com>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

Apple,

Thanks for following up. The first couple weeks of August should work for us. Please let me know what dates/times.

Thank you.

Matt

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Wednesday, July 11, 2018 11:21 AM
To: Matthew Todd <ToddM@api.org>
Cc: John Wagner <Wagner@api.org>; 'Wayne D'Angelo' <wdangelo@kelleydrye.com>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

Matt,

Can we schedule something the first or second week of August? I am sorry to put it off for so long but I will be out of the office for two weeks on vacation and we are working on a number of follow up items from the stakeholder meetings.

I want to make sure our discussion is productive.

In my absence, please work with Tim Sullivan (copied) on scheduling.

Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Wednesday, July 11, 2018 8:46 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: John Wagner <Wagner@api.org>; 'Wayne D'Angelo' <wdangelo@kelleydrye.com>
Subject: RE: Stakeholder Meeting Follow Up

Apple,

You mentioned a willingness to get together again to review some of the questions that API raised in advance of the meeting on June 28th. Is there a time that makes sense for you? I have a few afternoons that are generally open next week (Tues – Thurs) and Friday morning.

Thank you.

Matt

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Monday, July 2, 2018 12:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Nayyar, Vani <nayyar.vani@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Stakeholder Meeting Follow Up

Thank you for participating in the Oil and Natural Gas new Owner Audit Program Stakeholder meeting on June 28, 2018 and for providing valuable input on the proposed program. Once we have received all written comments we will prepare a summary of the comments, both written and verbal, and that summary will be emailed directly to all meeting participants and will also be posted [here](#). As I indicated at the meeting, if you

are unable to submit written comments by today's deadline, we will accept them until 5:00 p.m. EST on Thursday, July 5. EPA will consider all comments received, and may make appropriate changes to the Draft Agreement based on those comments.

Attached is a copy of the sign in sheet for both sessions.

Please do not hesitate to contact me or Tim Sullivan (303-312-6196) if you have questions.

Thank you.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 8/9/2018 8:17:59 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Palmer, Daniel [Palmer.Daniel@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Does the SIT have comments/proposed edits to the EE paragraph in the NEI to NCI Memo?
Attachments: Draft - Agency Roundtable Work Plan (2018-05-01).docx; Email from Patrick Traylor to AAs DAAs RAs (2018-05-04).pdf

I also want to chime in as the Unconventional Oil and Gas POC (UOG POC) for OECA. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

I hope that you will consider the comments provided, below.

Deliberative Process / Ex. 5

I am happy to discuss some of the details of those activities, if you are interested.

Marcia B Mia
Unconventional Oil and Gas Point of Contact (UOG POC)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-7042

From: Lischinsky, Robert
Sent: Thursday, August 09, 2018 2:54 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: Does the SIT have comments/proposed edits to the EE paragraph in the NEI to NCI Memo?

Dan,

We appreciate the opportunity to provide comment on the proposed EE paragraph for inclusion in the NCI memo. Below are our suggested revisions (in redline/strikeout).

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please let us know if you and/or the Board have any questions.

Thanks.

Rob

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Palmer, Daniel

Sent: Thursday, August 09, 2018 1:36 PM

To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>

Subject: Does the SIT have comments/proposed edits to the EE paragraph in the NEI to NCI Memo?

Hi Rob,

The Executive Board unfortunately does not have time to meet with the SIT but would like to see the proposed edits and comments from the SIT so that they may consider changes to this paragraph. They need this by Monday, 8/13 to consider them. Doable?

Thanks.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Kenney, James

From: Traylor, Patrick
Sent: Friday, May 4, 2018 3:16 PM
To: Assistant Administrators; DAA-Non-Career; Regional Administrators
Cc: Jackson, Ryan; Wagner, Kenneth; Letendre, Daisy; Kenney, James
Subject: Oil and Gas Roundtable Draft Action Plan
Attachments: Draft - Agency Roundtable Work Plan (2018-05-03).docx

Dear Colleagues:

As many of you know, Administrator Pruitt committed last July to convene a roundtable meeting with stakeholders in the oil and gas sector “to discuss industry concerns and enhance communication while ensure safe and responsible domestic oil and gas production.” EPA partnered with the Environmental Council of the States and the Interstate Oil and Gas Compact Commission to host the roundtable this past February, with essential contributions from OAR, OECA, OP, OW, and Regional Administrators Benevento and Idsal. The roundtable meeting included stakeholders from state regulatory agencies, tribes, the regulated community, and the environmental community. Detailed information about the meeting may be found [here](#).

Based in part on what we learned in that meeting, we have prepared the attached draft Action Plan. We wanted to be sure that you were aware of the draft plan.

If you have any questions, please do not hesitate to reach out to me, or to Jim Kenney, who has provided invaluable staff support and is leading this effort.

Warm regards,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6

 (cell)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Spina, Providence [Spina.Providence@epa.gov]
Sent: 5/29/2018 3:39:50 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Intern Help needed

Sounds good. Thanks!

Providence Spina
202-564-2722

From: Chapman, Apple
Sent: Tuesday, May 29, 2018 11:17 AM
To: Spina, Providence <Spina.Providence@epa.gov>
Subject: RE: Intern Help needed

Angelic is going to help but I may have enough work for 2 people. Let's talk when your intern arrives.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Spina, Providence
Sent: Tuesday, May 29, 2018 11:14 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Intern Help needed

Apple, did you already find someone for this? My intern does not arrive until Monday, but can take this on if you still need someone at that time.

Providence Spina
202-564-2722

From: Chapman, Apple
Sent: Thursday, May 24, 2018 5:12 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Meisenbach, Caitlin <Meisenbach.Caitlin@epa.gov>; Kulschinsky, Edward <Kulschinsky.Edward@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Tozzi, Lauren <Tozzi.Lauren@epa.gov>; Iddings, Brianna <Iddings.Brianna@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Subject: Intern Help needed

All,
I need an intern to help me with various tasks related to some upcoming stakeholder meetings I am having with industry, states, tribes and environmental groups. We are having four sets of meetings June 25 and 26 (3 hours each) to accept verbal comments on a draft New Owner Audit Agreement tailored for the Oil and Gas Sector. We are currently accepting written comments on the agreement. I would like to involve the intern in all aspects of this project including logistics and planning as well as organizing, reviewing, digesting and summarizing the written and verbal comments. He/She will also attend and help with the meetings. I think this would be a great opportunity for someone to get some exposure to our political management and get a sense of some of the policy work we do.
Please let me know who is available.
Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

Message

From: Marsh, Karen [Marsh.Karen@epa.gov]
Sent: 8/9/2018 1:20:48 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Witosky, Matthew [Witosky.Matthew@epa.gov]
CC: Branning, Amy [Branning.Amy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Segall, Martha [Segall.Martha@epa.gov]
Subject: RE: Storage vessel briefing

Thanks Marcia. I completely understand where you are coming from
Apologies that it comes across that way.

Deliberative Process / Ex. 5

The briefing is at 1. I'm going to see if I can catch up with David this morning but I know his schedule is pretty full these days.

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

From: Mia, Marcia
Sent: Thursday, August 09, 2018 8:21 AM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>
Cc: Branning, Amy <Branning.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>
Subject: RE: Storage vessel briefing

Hi Karen. Thanks for all of your work on this.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

What time is the briefing? Good luck.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Marsh, Karen
Sent: Wednesday, August 08, 2018 8:51 PM
To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>
Cc: Branning, Amy <Branning.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Storage vessel briefing

I've brought this up separately within OAQPS before

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Karen

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

From: Sorrell, Virginia

Sent: Wednesday, August 08, 2018 5:14 PM

To: Mia, Marcia <Mia.Marcia@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>

Cc: Branning, Amy <Branning.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: RE: Storage vessel briefing

I just sent comments on Amy's comments on the paper since that seemed easier to me than this thread, but comments below in black bold on 1 and 2.

Tim – please see what I wrote below in black bold and let us know if you have anything to add since you are working on developing the audit program.

Thanks,
Ginny

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Mia, Marcia

Sent: Wednesday, August 8, 2018 2:30 PM

To: Marsh, Karen <Marsh.Karen@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>

Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>

Subject: RE: Storage vessel briefing

Red italics (1&2 only).

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Marsh, Karen

Sent: Wednesday, August 08, 2018 3:57 PM

To: Mia, Marcia <Mia.Marcia@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>

Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>

Subject: RE: Storage vessel briefing

Additional responses to your (red) responses are below in blue.

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05

Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

From: Mia, Marcia
Sent: Wednesday, August 08, 2018 2:59 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>
Subject: RE: Storage vessel briefing

Some thought below in red.

Also, Amy asked me a question about the prior thread,

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Marsh, Karen
Sent: Monday, July 30, 2018 4:05 PM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>
Subject: RE: Storage vessel briefing

Thanks Marcia for the summary notes.

Today's discussion doesn't have any specific follow up at this time

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5 [□]

Attorney-Client / Deliberative Process / Ex. 5

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

From: Mia, Marcia
Sent: Monday, July 30, 2018 2:48 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Witosky, Matthew <Witosky.Matthew@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>
Subject: Re: Storage vessel briefing

FYI, when I met with Amy B this am to discuss another matter, she mentioned the discussions with Peter this am on this briefing.

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Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Marsh, Karen
Sent: Friday, July 27, 2018 9:05 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Cc: Witosky, Matthew <Witosky.Matthew@epa.gov>
Subject: RE: Storage vessel briefing

Thanks Marcia. That's helpful information that I will bring up on Monday. **Attorney-Client / Deliberative Process / Ex. 5**

Attorney-Client / Deliberative Process / Ex. 5

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

From: Mia, Marcia
Sent: Thursday, July 26, 2018 4:30 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Cc: Witosky, Matthew <Witosky.Matthew@epa.gov>
Subject: RE: Storage vessel briefing

Thanks Karen and Matt, for the advance version.

Ginny and I looked at this.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Keep us posted!

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Marsh, Karen
Sent: Thursday, July 26, 2018 3:24 PM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Cc: Witosky, Matthew <Witosky.Matthew@epa.gov>
Subject: Storage vessel briefing

Marcia and Ginny,

Attached is the briefing pager we will be sharing with Bill W (our AA) on Monday. Apologies that this is such short notice on my end. I just found out this afternoon that we are not briefing Peter and they want to brief Bill on Monday. I had requested another week out.

At this point I think this is informational for you unless there is something that is in complete error. I think I can switch it out tomorrow but Monday would be too late.

Thanks!
Karen

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 8/8/2018 11:00:29 PM
To: Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: O&G Storage Vessel - pager
Attachments: OG.SVpager8.9.18final_ahb_vas_mbm.docx

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Wednesday, August 08, 2018 7:00 PM
To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>
Subject: RE: O&G Storage Vessel - pager

Late Personal Matters / Ex. 5 Here is the attachment.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Wednesday, August 08, 2018 6:59 PM
To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>
Subject: RE: O&G Storage Vessel - pager

My comments on top of Amy's and Ginny's.

Ginny and I also left you a voice mail.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

beginning at 830 tomorrow and Ginny is available shortly thereafter.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Sorrell, Virginia
Sent: Wednesday, August 08, 2018 4:37 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

See attached for my thoughts on top of Amy's thoughts sent at 3:31 EST. I am not sure how this version relates to the version Amy linked to at 4:20 EST.

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Branning, Amy
Sent: Wednesday, August 8, 2018 1:31 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

Here are my very quick comments.

Amy Huang Branning
EPA Office of General Counsel
phone: (202) 564-1744
fax: (202) 564-5603 or (202) 564-0070

This message may contain sensitive, privileged information covered by the deliberative process, attorney-client and/or attorney work product privileges. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

From: Marsh, Karen
Sent: Wednesday, August 08, 2018 3:03 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: FW: O&G Storage Vessel - pager

FYI -- pager for Wehrum briefing tomorrow.

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/8/2018 10:52:24 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]
CC: Mia, Marcia [Mia.Marcia@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: O&G Storage Vessel - pager

I am responding quickly here to be responsive before I have to leave the office shortly – happy to discuss further tomorrow.

Attorney-Client / Deliberative Process / Ex. 5

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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From: Chapman, Apple
Sent: Wednesday, August 8, 2018 3:46 PM
To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>

Subject: RE: O&G Storage Vessel - pager

Attorney-Client / Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Sorrell, Virginia

Sent: Wednesday, August 08, 2018 4:46 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>

Subject: FW: O&G Storage Vessel - pager

Apple and Tim,

Attached is the latest briefing paper for Bill Wehrum for tomorrow.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Please let me know your thoughts so that I can be sure that I am communicating OECA's positions correctly.

Thanks,
Ginny

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Sorrell, Virginia
Sent: Wednesday, August 8, 2018 2:37 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

See attached for my thoughts on top of Amy's thoughts sent at 3:31 EST. I am not sure how this version relates to the version Amy linked to at 4:20 EST.

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Branning, Amy
Sent: Wednesday, August 8, 2018 1:31 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

Here are my very quick comments.

Amy Huang Branning
EPA Office of General Counsel
phone: (202) 564-1744
fax: (202) 564-5603 or (202) 564-0070

This message may contain sensitive, privileged information covered by the deliberative process, attorney-client and/or attorney work product privileges. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

From: Marsh, Karen
Sent: Wednesday, August 08, 2018 3:03 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: FW: O&G Storage Vessel - pager

FYI – pager for Wehrum briefing tomorrow.

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

Message

From: Morrison, Matthew W. [matthew.morrison@pillsburylaw.com]
Sent: 6/25/2018 9:53:17 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Automatic reply: O&G New Owner Audit Program Stakeholder Meetings on Thursday, June 28

Thanks for your message. I will be out of the office through Wednesday, June 27th, but I will get back to you as soon as I can.

Matt

Matthew W. Morrison | Partner
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW | Washington, DC 20036-3006
t 202.663.8036 | f 202.663.8007 | m Personal Phone / Ex. 6
matthew.morrison@pillsburylaw.com | [website bio](#)



July 2, 2018

Ms. Apple Chapman
Deputy Director, Air Enforcement Division
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20004

Re: Supplemental Letter - New Owner Clean Air Act Audit Program for Oil and Natural Gas
Exploration and Production Facilities ("Audit Program")

Dear Ms. Chapman:

The Domestic Energy Producers Alliance (DEPA) is submitting this letter to supplement its previous letter, dated June 4, 2018, which commented on the EPA's draft New Owner Clean Air Act Audit Program ("Audit Program").

DEPA previously commented that details in EPA's draft Audit Program impose an unreasonably dogmatic and stringent paradigm for what constitutes "compliance" to qualify for the benefits offered by the program. The draft Audit Program contains uniform, prescriptive engineering and design standards that are not based on science, impose unreasonable burdens on the operator, and cannot be applied equally across all fields, plays and types of operations.

DEPA has developed an alternative set of proposed guidelines that achieve the same fundamental goals for incentivizing new operators' compliance with the Clean Air Act, but do so with a more flexible, common-sense approach. We would like the opportunity to present these to EPA in order to begin a more productive dialogue on incentives to achieve a voluntary self-audit program that will not conflict with state programs and provide sufficient flexibility for attaining compliance across different geographies and types of upstream oil and gas operations.

Sincerely,

DOMESTIC ENERGY PRODUCERS ALLIANCE

J. Roger Kelley
Chairman – Regulatory

cc: Patrick Traylor, Deputy Assistant Administrator, Office of Enforcement & Compliance
Doug Benevento, Region 8 Administrator
Tim Sullivan, EPA
Christopher Williams, EPA

Message

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 5/29/2018 2:02:43 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]
Subject: FW: Oil and Gas Roundtable Draft Action Plan
Attachments: Draft - Agency Roundtable Work Plan (2018-05-03) OITA comments.docx

FYI

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6

 (cell)

From: Nishida, Jane
Sent: Tuesday, May 29, 2018 10:01 AM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Wright, Felicia <Wright.Felicia@epa.gov>; Berrios, Lisa <Berrios.Lisa@epa.gov>; Baca, Andrew <Baca.Andrew@epa.gov>
Subject: RE: Oil and Gas Roundtable Draft Action Plan

Patrick,

Thank you for providing OITA the opportunity to submit comments on the Oil and Natural Gas Roundtable Action Plan. The American Indian Environmental Office (AIEO) has reviewed the action plan and spoke with Jim Kenney last week regarding ideas for including tribes in the outreach and conference calls as part of the oil and natural gas roundtable. It was a very productive discussion, and OITA is happy to assist your efforts.

If you have any questions, please contact Felicia Wright, Acting Director, AIEO, at 202-566-1886. We look forward to continued coordination on this important effort.

Jane

From: Traylor, Patrick
Sent: Friday, May 04, 2018 5:16 PM
To: Assistant Administrators <Assistant_Administrators@epa.gov>; DAA-Non-Career <DAANonCareer@epa.gov>; Regional Administrators <Regional_Administrators@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Letendre, Daisy

<letendre.daisy@epa.gov>; Kenney, James <Kenney.James@epa.gov>

Subject: Oil and Gas Roundtable Draft Action Plan

Dear Colleagues:

As many of you know, Administrator Pruitt committed last July to convene a roundtable meeting with stakeholders in the oil and gas sector “to discuss industry concerns and enhance communication while ensure safe and responsible domestic oil and gas production.” EPA partnered with the Environmental Council of the States and the Interstate Oil and Gas Compact Commission to host the roundtable this past February, with essential contributions from OAR, OECA, OP, OW, and Regional Administrators Benevento and Idsal. The roundtable meeting included stakeholders from state regulatory agencies, tribes, the regulated community, and the environmental community. Detailed information about the meeting may be found [here](#).

Based in part on what we learned in that meeting, we have prepared the attached draft Action Plan. We wanted to be sure that you were aware of the draft plan.

If you have any questions, please do not hesitate to reach out to me, or to Jim Kenney, who has provided invaluable staff support and is leading this effort.

Warm regards,
Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

Message

From: Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Sent: 5/29/2018 1:44:40 PM
To: Li, Angelica [li.angelica@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Intern Help needed

Angelica,

Apple is going to set something up with you to go over the assignment.

Thanks for volunteering!

Sabrina

From: Li, Angelica
Sent: Tuesday, May 29, 2018 9:08 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Subject: RE: Intern Help needed

Hi Sabrina,

Yes, this sounds interesting, please confirm for me.

Thank you,

Angelica

Law Clerk
Air Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

From: Argentieri, Sabrina
Sent: Tuesday, May 29, 2018 8:57 AM
To: Li, Angelica <li.angelica@epa.gov>
Subject: FW: Intern Help needed

Good morning Angelica,

I am working from home today. Apple sent the below email seeking intern assistance on what should be an interesting project. I recommended you to her. Please let me know if it sounds like a project you would like to work on and I will confirm with her.

If you ever need to reach me, all my office calls are forwarded to my phone, but if that doesn't work, then you can reach me on my cell Personal Phone / Ex. 6. And of course, you can email me.

Sabrina

From: Chapman, Apple
Sent: Thursday, May 24, 2018 5:12 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Meisenbach, Caitlin <Meisenbach.Caitlin@epa.gov>; Kulschinsky,

Edward <Kulschinsky.Edward@epa.gov>; Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Tozzi, Lauren <Tozzi.Lauren@epa.gov>; Iddings, Brianna <Iddings.Brianna@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>

Subject: Intern Help needed

All,

I need an intern to help me with various tasks related to some upcoming stakeholder meetings I am having with industry, states, tribes and environmental groups. We are having four sets of meetings June 25 and 26 (3 hours each) to accept verbal comments on a draft New Owner Audit Agreement tailored for the Oil and Gas Sector. We are currently accepting written comments on the agreement. I would like to involve the intern in all aspects of this project including logistics and planning as well as organizing, reviewing, digesting and summarizing the written and verbal comments. He/She will also attend and help with the meetings. I think this would be a great opportunity for someone to get some exposure to our political management and get a sense of some of the policy work we do.

Please let me know who is available.

Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Sent: 6/22/2018 8:37:53 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Stuff for next week

Ah, got it!

From: Fried, Gregory
Sent: Friday, June 22, 2018 4:35 PM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Stuff for next week

Yep... missed that.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Argentieri, Sabrina
Sent: Friday, June 22, 2018 4:32 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Stuff for next week

Got it!

Deliberative Process / Ex. 5

From: Fried, Gregory
Sent: Friday, June 22, 2018 3:55 PM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Stuff for next week

Sabrina/Provi,

Thank you both for volunteering to help cover the branch chief duties next week. Here's what's on the radar:

Meetings:

Monday – AED Internal (12:30 pm) - 1142
Tuesday – AED General with Rosemarie (12:30 pm) – typically 4140
Wednesday – AED General with Patrick (10:15 am) – typically Patrick's Office
Thursday – OCE General with Susan (3:00 pm) – 3216

Briefings:

Deliberative Process / Ex. 5

Packages:

Deliberative Process / Ex. 5

Other Issues:

Deliberative Process / Ex. 5

Just an FYI

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 9/26/2018 7:40:42 PM
To: Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: FW: TCEQ Meeting Next Steps
Attachments: Draft Oil and Gas Design Audit Checklist (June 11, 2018).docx

Phill/Apple,

Attorney-Client / Deliberative Process / Ex. 5

From: Traylor, Patrick
Sent: Monday, June 11, 2018 3:08 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Gilrein, Stephen <gilrein.stephen@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Cc: Idsal, Anne <idsal.anne@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Seager, Cheryl <Seager.Cheryl@epa.gov>
Subject: RE: TCEQ Meeting Next Steps

All:

I wanted to follow up with the group that met with TCEQ in April and others as an update.

Attorney-Client / Deliberative Process / Ex. 5

Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
(202) 809-8796 (cell)

From: Traylor, Patrick
Sent: Tuesday, April 24, 2018 12:40 PM
To: Greg Fried (Fried.Gregory@epa.gov) <Fried.Gregory@epa.gov>; gilrein.stephen@epa.gov; Thompson, Steve <thompson.steve@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: TCEQ Meeting Next Steps

Gentlemen:

Thanks so much for your time and participation for the TCEQ meeting last week. Here's what I marked down as our next steps.

Attorney-Client / Deliberative Process / Ex. 5

Aside from Item 5, does this match your notes and recollection?

Best,
Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 9/4/2018 6:21:04 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]; Smith-Watts, David [Smith-Watts.David@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Miles, James [miles.james@epa.gov]
Subject: Draft Presentation -- Please let me know if you have any showstoppers by 3pm tomorrow (9/5)
Attachments: eDisclosure Webinar Presentation 06-10-2015 final.pptx

Flag: Flag for follow up

Draft – Agency Deliberative Process – Please do not release

Dear All –

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

Message

From: Patefield, Scott [Patefield.Scott@epa.gov]
Sent: 9/4/2018 5:56:34 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: 9/5 SIT Call - Draft Agenda

Looks good here.

From: Lischinsky, Robert
Sent: Tuesday, September 4, 2018 8:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: 9/5 SIT Call - Draft Agenda

Ok with the proposed agenda below? Any additional items?

Deliberative Process / Ex. 5

Message

From: Smith-Watts, David [Smith-Watts.David@epa.gov]
Sent: 9/5/2018 1:22:06 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Miles, James [miles.james@epa.gov]
Subject: RE: Draft Presentation -- Please let me know if you have any showstoppers by 3pm RESEND

Looks good, Phil. I don't have any comments.

David Smith-Watts
Attorney-Advisor
U.S. EPA/OECA/OCE/IO/XPS
1200 Pennsylvania Ave., NW (MC 2241A)
Washington, DC 20460
Phone: (202) 564-4083
Email: smith-watts.david@epa.gov

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From: Jonesi, Gary
Sent: Wednesday, September 5, 2018 7:43 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Smith-Watts, David <Smith-Watts.David@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Miles, James <miles.james@epa.gov>
Subject: Re: Draft Presentation -- Please let me know if you have any showstoppers by 3pm RESEND

Phil,	Deliberative Process / Ex. 5
Deliberative Process / Ex. 5	

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (Rm. 4102-C)

Washington, DC 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

On Sep 5, 2018, at 6:31 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

I attached the wrong file sorry.

Draft – Agency Deliberative Process – Please do not release

Dear All –

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement

Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

<Env. Workshop Presentation 9-20-18 v1.1.pptx>

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/28/2018 5:04:54 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Okay – I will let Matt at API know. He hadn't gotten back to me yet on the week of the 10th anyway.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Tuesday, August 28, 2018 11:02 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Sorry to keep pushing this but given the short week next week and it's Patrick's first week back I expect him to be pretty jammed. Let's go for the week of the 17th instead. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Sullivan, Tim
Sent: Monday, August 20, 2018 2:33 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Okay – I will check on the week of the 10th. Do you have any hard conflicts the week of the 10th? I am out on the 14th.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Monday, August 20, 2018 12:29 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: Re: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick is out until the 4th so let's schedule the week of the 10th. I want to make sure we have time to prep him.

Sent from my iPhone

On Aug 20, 2018, at 2:14 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

Are you all available on Friday, September 7th for the meeting with API? Outlook indicates that Patrick is essentially available all day. If that does not work, we are on to the week of the 10th.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy.
Thank you.

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Monday, August 20, 2018 7:33 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – Looks like that week is not great and we only have Friday, Sept 7th, available. Is that an option?

Matt

From: Sullivan, Tim <Sullivan.Tim@epa.gov>
Sent: Wednesday, August 15, 2018 11:08 AM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Thanks, Matt – much appreciated.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Thank you.

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Wednesday, August 15, 2018 8:58 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – Let me check on my end and I'll get back to you with a couple times that might work.

Thanks,

Matt

From: Sullivan, Tim <Sullivan.Tim@epa.gov>
Sent: Tuesday, August 14, 2018 2:58 PM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Can you please provide your team's availability for the weeks of September 3rd (really the 4th with Labor Day) and 10th?

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Thursday, August 2, 2018 3:58 PM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thanks for understanding and the update. Understood on your timing. I know the 20th won't work on our end. And, I am just now seeing that one of our key team members is now going to be out of the office the week of the 27th. How does the short week of Labor Day look for you and your team? If that is no good, we may be able to make the week of the 13th work, but I am unsure at this point.

We still plan to post a summary of the comments received, but I do not yet have a sense of the timing. I can let you know as I hear more on that front.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Thursday, August 2, 2018 6:29 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim,

That's not a problem. I know I'm limited to Monday, August 20th, the first week. And may not be back in DC until late the following week. Does EPA still plan to post a summary of the comments you received on the new audit program? If so, any update on when that might occur?

Thanks,

Matt

From: Sullivan, Tim <Sullivan.Tim@epa.gov>
Sent: Wednesday, August 1, 2018 4:53 PM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Hi, Matt.

We need to push our meeting originally scheduled for the 7th back by about two weeks or so. Once I have a better sense of the timing, I will check back in about specific times for the meeting. As a general matter, are you and your team available the weeks of August 20th and 27th?

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Monday, July 30, 2018 3:30 PM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

We are happy to host at EPA on the 7th. We will be in touch later this week with additional details.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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and any attachments from your machine and all storage media whether in electronic or hard copy.
Thank you.

From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Thursday, July 19, 2018 12:13 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – FYI.

Would you like us to host?

Matt

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Thursday, July 19, 2018 1:57 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

I look forward to seeing you on August 7. Please continue to coordinate with Apple and Tim on the particulars.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6

 (cell)

From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Thursday, July 19, 2018 1:35 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick,

Thank you for the invitation to arrange a meeting. We have been in contact with Apple Chapman and Tim Sullivan to arrange a follow up discussion that was already in the works. We had identified 2 pm on the 7th but I let Tim know that you had reached out as well. We're happy to host here at API.

Thanks

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Wednesday, July 18, 2018 3:28 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thank you for the comments from API on our draft new owner audit program. I think that it would be worthwhile to get together with you and the relevant API stakeholders in early August to discuss them.

Perhaps it would be most convenient for me and several of my career staff to meet with you at API's offices.

Warm regards,
Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]

Sent: Monday, July 2, 2018 12:23 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>

Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Dear Ms. Chapman:

API respectfully submits the attached letter in response to the U.S. EPA's request for comments on its proposed changes to the 2000 policy titled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" for new owners of oil and natural gas exploration and production facilities and, in particular, the Agency's Draft Standard Audit Policy Agreement. API believes that the Audit Policy can be an important tool in furtherance of environmental compliance and hope this feedback will lead to a final program that provides a more flexible approach to eligibility and administration.

Please do not hesitate to contact me with any questions regarding the content of this submittal. We look forward to reviewing the revised draft agreement as discussed during the face-to-face meeting last Thursday, June 28th.

Regards,

Matt

Matthew Todd

API

Personal Phone / Ex. 6

Message

From: Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Sent: 6/25/2018 4:40:26 PM
To: Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Miller, Anthony [Miller.Anthony@epa.gov]; Argentieri, Sabrina [argentieri.sabrina@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: OCE DD mtg notes from 6/25/18

My meeting notes from this morning's OCE with DD's meeting are below.

Thanks,
jj

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jacqueline Robles Werner
Associate Director

Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
WJCSouth-1117C (MC-2242A)
Washington, DC 20460
t: 202-564-1036

Message

From: Matthew Todd [ToddM@api.org]
Sent: 7/19/2018 6:12:45 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – FYI.

Would you like us to host?

Matt

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Thursday, July 19, 2018 1:57 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

I look forward to seeing you on August 7. Please continue to coordinate with Apple and Tim on the particulars.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Matthew Todd [<mailto:ToddM@api.org>]
Sent: Thursday, July 19, 2018 1:35 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick,

Thank you for the invitation to arrange a meeting. We have been in contact with Apple Chapman and Tim Sullivan to arrange a follow up discussion that was already in the works. We had identified 2 pm on the 7th but I let Tim know that you had reached out as well. We're happy to host here at API.

Thanks

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Wednesday, July 18, 2018 3:28 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thank you for the comments from API on our draft new owner audit program. I think that it would be worthwhile to get together with you and the relevant API stakeholders in early August to discuss them. Perhaps it would be most convenient for me and several of my career staff to meet with you at API's offices.

Warm regards,

Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]

Sent: Monday, July 2, 2018 12:23 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>

Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Dear Ms. Chapman:

API respectfully submits the attached letter in response to the U.S. EPA's request for comments on its proposed changes to the 2000 policy titled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" for new owners of oil and natural gas exploration and production facilities and, in particular, the Agency's Draft Standard Audit Policy Agreement. API believes that the Audit Policy can be an important tool in furtherance of environmental compliance and hope this feedback will lead to a final program that provides a more flexible approach to eligibility and administration.

Please do not hesitate to contact me with any questions regarding the content of this submittal. We look forward to reviewing the revised draft agreement as discussed during the face-to-face meeting last Thursday, June 28th.

Regards,

Matt

Matthew Todd
API

Personal Phone / Ex. 6

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/30/2018 9:57:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Nayyar, Vani [nayyar.vani@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Stakeholder Meeting Follow-Up - API
Location: 4140 WJC South Bldg
Start: 8/7/2018 6:00:00 PM
End: 8/7/2018 8:00:00 PM
Show Time As: Tentative

Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 8/28/2018 3:30:29 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: Draft response to EIP letter re Devon
Attachments: Response to EIP letter re Devon 8.28.18.docx

Apple and Greg

Please take a careful, thoughtful look at the attached draft response. Any thoughts welcome. Also, If you have handy the citation to the New Owner Audit Policy that would be helpful as well.

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/30/2018 9:45:34 PM
To: Roger Kelley [Roger.Kelley@clr.com]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Stakeholder Meeting Follow Up
Attachments: DEPA New Owner Audit Program supplemental comments.pdf

Roger:

I write to follow up on the email traffic below and your attached letter that mentions presenting an alternative set of proposed guidelines for incentivizing new operators' compliance with the Clean Air Act. Is this something that DEPA still plans to discuss with EPA? If so, do you have any potential dates in mind for when you and your colleagues would be available for a discussion?

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Roger Kelley [mailto:Roger.Kelley@clr.com]
Sent: Tuesday, July 3, 2018 11:53 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Brooks Richardson <Brooks.Richardson@clr.com>; Kathryn Liska <Kathryn.Liska@clr.com>
Subject: RE: Stakeholder Meeting Follow Up

Apple

Here is the letter that you should have received. We are working on the supplemental audit protocol. Thanks so much for your help.

Roger K.

J Roger Kelley

Director of Regulatory Affairs
Continental Resources, Inc.
Office
Cell

Personal Phone / Ex. 6

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Tuesday, July 3, 2018 11:16 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Roger Kelley <Roger.Kelley@clr.com>
Cc: Brooks Richardson <Brooks.Richardson@clr.com>; Kathryn Liska <Kathryn.Liska@clr.com>
Subject: {EXTERNAL}- RE: Stakeholder Meeting Follow Up

External email – beware of links and attachments

Roger,
I will be out of the office July 16 – July 30. Please work with Tim in my absence to schedule a meeting the week of July 16 if that works for everyone. Tim will coordinate on our end.
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Tuesday, July 03, 2018 11:09 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Roger Kelley <Roger.Kelley@clr.com>
Cc: Brooks Richardson <Brooks.Richardson@clr.com>; Kathryn Liska <Kathryn.Liska@clr.com>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

I am available and can join a call now if others are still free.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Tuesday, July 3, 2018 8:25 AM
To: Roger Kelley <Roger.Kelley@clr.com>
Cc: Brooks Richardson <Brooks.Richardson@clr.com>; Kathryn Liska <Kathryn.Liska@clr.com>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

Roger,
10:00 central, 11:00 eastern works for me. I am adding Tim to this message in case he is available to also join the call. We can use my conference line if there are multiple people, just let me know and I will send it around.
Thanks

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Roger Kelley [<mailto:Roger.Kelley@clr.com>]
Sent: Tuesday, July 03, 2018 9:47 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Brooks Richardson <Brooks.Richardson@clr.com>; Kathryn Liska <Kathryn.Liska@clr.com>
Subject: RE: Stakeholder Meeting Follow Up

Apple,

Thanks for your response. This am would work for me after 10:00 central or this afternoon after about 3:30 central. I am in the office now but have a conference call at 9:00 am which should not really last more than 30 min but may go till 10:00. Please let me know your availability. Thanks again for reaching out.

Roger K.

J Roger Kelley
Director of Regulatory Affairs
Continental Resources, Inc.
Office Personal Phone / Ex. 6
Cell

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Tuesday, July 3, 2018 6:22 AM
To: Roger Kelley <Roger.Kelley@clr.com>
Subject: {EXTERNAL}- Re: Stakeholder Meeting Follow Up

External email – beware of links and attachments

Roger
Let me know if you are available today or Thursday this week.

Sent from my iPhone

On Jul 2, 2018, at 6:57 PM, Roger Kelley <Roger.Kelley@clr.com> wrote:

Apple,

Thanks for arranging the stakeholders meeting in your headquarters. As a result of that meeting and the information that you provided, I have prepared and attached a supplemental letter with one other suggestion. Please accept this and allow me to explain further after you have had a chance to review. Thanks so very much.

Roger Kelley

J Roger Kelley
Director of Regulatory Affairs
Continental Resources, Inc.
Office Personal Phone / Ex. 6
Cell

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Monday, July 2, 2018 11:08 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Nayyar, Vani <nayyar.vani@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: {EXTERNAL}- Stakeholder Meeting Follow Up

External email – beware of links and attachments

Thank you for participating in the Oil and Natural Gas new Owner Audit Program Stakeholder meeting on June 28, 2018 and for providing valuable input on the proposed program. Once we have received all written comments we will prepare a summary of the comments, both written and verbal, and that summary will be emailed directly to all meeting participants and will also be posted [here](#). As I indicated at the meeting, if you are unable to submit written comments by today's deadline, we will accept them until 5:00 p.m. EST on Thursday, July 5. EPA will consider all comments received, and may make appropriate changes to the Draft Agreement based on those comments.

Attached is a copy of the sign in sheet for both sessions.

Please do not hesitate to contact me or Tim Sullivan (303-312-6196) if you have questions.
Thank you.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

<clr2018sig5e18.png>

NOTICE: This message contains confidential information and is intended for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by reply e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message which arise as a result of e-mail transmission.

<DEPA New Owner Audit Program supplemental comments.pdf>

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/30/2018 8:34:45 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Thursday, July 19, 2018 12:13 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – FYI.

Would you like us to host?

Matt

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Thursday, July 19, 2018 1:57 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

I look forward to seeing you on August 7. Please continue to coordinate with Apple and Tim on the particulars.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Thursday, July 19, 2018 1:35 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick,

Thank you for the invitation to arrange a meeting. We have been in contact with Apple Chapman and Tim Sullivan to arrange a follow up discussion that was already in the works. We had identified 2 pm on the 7th but I let Tim know that you had reached out as well. We're happy to host here at API.

Thanks

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Wednesday, July 18, 2018 3:28 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thank you for the comments from API on our draft new owner audit program. I think that it would be worthwhile to get together with you and the relevant API stakeholders in early August to discuss them. Perhaps it would be most convenient for me and several of my career staff to meet with you at API's offices.

Warm regards,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Monday, July 2, 2018 12:23 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Dear Ms. Chapman:

API respectfully submits the attached letter in response to the U.S. EPA's request for comments on its proposed changes to the 2000 policy titled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" for new owners of oil and natural gas exploration and production facilities and, in particular, the Agency's Draft Standard Audit Policy Agreement. API believes that the Audit Policy can be an important tool in furtherance of environmental compliance and hope this feedback will lead to a final program that provides a more flexible approach to eligibility and administration.

Please do not hesitate to contact me with any questions regarding the content of this submittal. We look forward to reviewing the revised draft agreement as discussed during the face-to-face meeting last Thursday, June 28th.

Regards,

Matt

Matthew Todd

APL

Personal Phone / Ex. 6

Message

From: Enion, Rhead@ARB [Rhead.Enion@arb.ca.gov]
Sent: 6/5/2018 12:10:48 AM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: Comments on Draft Standard Audit Program Agreement Template for Oil and Natural Gas
Attachments: CARB comments on EPA Draft Standard Audit Program Agreement Signed 2018-06-04.pdf

Dear Ms. Chapman, Mr. Sullivan, and Mr. Williams:

Please find attached the California Air Resources Board's comments on U.S. EPA's Draft Standard Audit Program Agreement Template for Oil and Natural Gas. If you have any questions, please feel free to contact me.

Regards,

Rhead

Rhead Enion
Senior Attorney
California Air Resources Board

Personal Phone / Ex. 6
rhead.enion@arb.ca.gov

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION
(Submitted Electronically)

June 4, 2018

Apple Chapman
Deputy Director
chapman.apple@epa.gov
Tim Sullivan, Attorney
sullivan.tim@epa.gov
Christopher Williams, Attorney
williams.christopher@epa.gov
Air Enforcement Division
United State Environmental Protection Agency

RE: Draft standard audit program agreement for the New Owner Clean Air Act Audit Program for oil and natural gas exploration and production facilities

Dear Ms. Chapman, Mr. Sullivan, and Mr. Williams:

The California Air Resources Board (CARB) submits this comment letter, including the attached technical comments, to the United States Environmental Protection Agency (U.S. EPA) on the draft standard audit program agreement for the proposed New Owner Clean Air Act Audit Program (Draft Agreement).¹

Upon a new acquisition of oil and natural gas exploration and production facilities, the Draft Agreement would require the acquiring company to self-audit its newly acquired facilities to ensure compliance with the Clean Air Act and relevant State Implementation Plan requirements.² In return for this self-audit and the timely correction of any discovered violations, U.S. EPA would promise that the Draft Agreement would be the "complete resolution of all civil claims and causes of action alleged or which could have been alleged under the Clean Air Act, its implementing regulations, and the federally-approved and -enforceable requirements of applicable State Implementation Plans

¹ Draft Oil and Natural Gas Exploration and Production Facilities New Owner Audit Program Agreement, https://www.epa.gov/sites/production/files/2018-05/documents/oil_and_gas_new_owner_program_audit_agreement_may_4_2018_draft.pdf; see also U.S. EPA, New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities, <https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>.

² Draft Agreement ¶ 3.

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

Ms. Chapman, et al.
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Page 2

(SIPs) for all of the disclosed and connected Violations in [COMPANY'S] Final Report provided to EPA."³

The Draft Agreement oversteps U.S. EPA's authority, by attempting to contract away liabilities for which U.S. EPA does not have the power to waive. U.S. EPA may not waive California's authority to enforce relevant provisions of the Clean Air Act or relevant requirements of California's State Implementation Plan under the Clean Air Act. U.S. EPA also does not have authority to waive the citizen suit provisions of the Clean Air Act. CARB requests that the Draft Agreement clearly state that it does not resolve any claims or causes of action that may be brought by the States or private citizens under the Clean Air Act or State Implementation Plans with regard to disclosed, corrected, or undisclosed violations.

In addition, the Draft Agreement would benefit from use of an independent third-party verifier instead of relying solely on an acquiring company's self-audit. U.S. EPA is neglecting its duties under the Clean Air Act by allowing a self-interested party to audit itself and thereby avoid serious penalties for violations under the Clean Air Act. Further, U.S. EPA relies on the new purchaser to conduct the audit, even though that new purchaser may not be sufficiently familiar with the facility and operations to definitely determine whether violations have occurred.

The most basic responsibility of U.S. EPA is to protect the public. This Draft Agreement does not further that fundamental duty. U.S. EPA's resources are better spent increasing the stringency and enforcement of existing environmental protections.

Please feel free to contact me at (916) 322-7077 or richard.corey@arb.ca.gov to discuss any of these issues. Thank you for your consideration.

Sincerely,



Richard W. Corey
Executive Officer
California Air Resources Board

³ Draft Agreement ¶ 14.

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Comments of the California Air Resources Board

Under U.S. EPA's proposal, a company that acquires oil and natural gas exploration and production facilities may enter into a New Owner Audit Program Agreement (Draft Agreement) under which the acquiring company would "conduct a self-audit of its newly acquired Facilities for compliance with the Clean Air Act (Act), its implementing regulations, and federally-approved and enforceable requirements of applicable State Implementation Plans (SIPs)."⁴ In return for this self-audit, under paragraph 14 of the Draft Agreement, U.S. EPA would consider violations disclosed and timely fixed to be completely resolved by the agreement:

This Agreement and an appropriate final EPA determination (Final Determination) in this matter—e.g., a Notice of Determination—issued after [COMPANY'S] completion of the Audit Program consistent with this Agreement shall be the complete resolution of all civil claims and causes of action alleged or which could have been alleged under the Clean Air Act (Act), its implementing regulations, and the federally-approved and -enforceable requirements of applicable State Implementation Plans (SIPs) for all of the disclosed and corrected Violations in [COMPANY'S] Final Report provided to EPA.⁵

To avoid any confusion or misunderstanding, paragraph 14 should explicitly state that it does not waive the States' right to bring an enforcement action for disclosed violations, nor does it waive a person's right to bring a citizen suit under section 304 of the Clean Air Act.

In addition, U.S. EPA should not rely solely on a self-interested acquiring company's self-audit, but instead require an independent third-party auditor to conduct an audit prior to any agreement.

I. U.S. EPA does not have authority to waive California's enforcement discretion under the Clean Air Act through an audit agreement with a polluter

With only limited exceptions, California retains authority under Clean Air Act section 116 to enforce "(1) any standard or limitation respecting emissions of air pollutants or (2) any

⁴ Draft Oil and Natural Gas Exploration and Production Facilities New Owner Audit Program Agreement ¶ 3, https://www.epa.gov/sites/production/files/2018-05/documents/oil_and_gas_new_owner_program_audit_agreement_may_4_2018_draft.pdf

⁵ Draft Agreement ¶ 14.

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Ms. Chapman, et al.

June 4, 2018

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requirement respecting control or abatement of air pollution.”⁶ The Clean Air Act structure also relies on State enforcement authority, for example, by requiring that a state implementation plan submitted by a State “shall . . . include enforceable emission limitations and other control measures” and “include a program to provide for the enforcement of the measures described.”⁷

Paragraph 14 of the Draft Agreement is arguably ambiguous about whether U.S. EPA is attempting to foreclose State enforcement of disclosed violations with its language that the agreement “shall be the complete resolution of all civil claims and causes of action alleged or which could have been alleged under the Clean Air Act [or state implementation plans].”

U.S. EPA does not have authority under the Clean Air Act to resolve, through this type of agreement with a violator, claims or causes of action that may be brought by California under the Clean Air Act or under its state implementation plan. California is not a party to this Draft Agreement and therefore cannot consent to waive its right to bring such enforcement actions under the Draft Agreement.

For these reasons, CARB is concerned that paragraph 14 of the Draft Agreement is misleading at best, and to the extent it attempts to waive the right of California to bring an enforcement action, is unenforceable. As a result, it could mislead acquiring companies who sign the agreement under mistaken assumptions about the liability waiver and lead to unnecessary and costly litigation. U.S. EPA should revise paragraph 14 to make it clear that it is not attempting to waive the right of States to bring enforcement actions for violations uncovered through the audit program.

II. U.S. EPA does not have authority to waive citizen suits that may be brought under Clean Air Act through an audit agreement with a polluter

As U.S. EPA is well aware, under section 304 of the Clean Air Act, any person may commence a civil action against any person alleged to have violated an emission standard or limitation or order issued by U.S. EPA or a State regarding such a standard or limitation.⁸ Section 304 also allows a person to commence a civil action when the alleged violation has been repeated.⁹

⁶ 42 U.S.C. § 7416. California also retains authority, discussed in Part II, to bring citizen suits under section 304 of the Clean Air Act.

⁷ 42 U.S.C. § 7410(a)(2).

⁸ 42 U.S.C. § 7604(a).

⁹ 42 U.S.C. § 7604(a).

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Page 5

Section 304 prohibits such a citizen suit if “the Administrator or State has commenced and is diligently prosecuting a civil action in a court of the United States or a State to require compliance with the standard, limitation, or order.”¹⁰ An agreement by U.S. EPA not to bring suit for discovered violations under the Draft Agreement does not equate to “diligently prosecuting a civil action in a court” and therefore does not operate as a barrier to citizen suits under the Clean Air Act. Nothing in the Clean Air Act suggests that U.S. EPA otherwise has authority to waive a person’s ability to bring a citizen suit in this manner.

In addition, the right to bring a citizen suit is held by the person, not U.S. EPA. Because the person is not a party to the Draft Agreement, that right cannot be waived under the Agreement.¹¹

CARB is therefore concerned that paragraph 14 of the Draft Agreement is misleading at best, and to the extent it attempts to waive the right of a person to bring a citizen suit, is unenforceable. Again, it could mislead acquiring companies who sign the agreement under mistaken assumptions about the liability waiver and lead to unnecessary and costly litigation. U.S. EPA should revise paragraph 14 to make it clear that it is not attempting to waive the right of persons to bring citizen suits for violations uncovered through the audit program.

CARB is also concerned that paragraph 14 of the Draft Agreement could be used by an acquiring company as a defense to a later citizen suit that alleges repeated violations—if some of those violations were uncovered by the audit program contemplated by the Draft Agreement. U.S. EPA should clarify in the Draft Agreement that discovered violations may be used as evidence of repeated violations in any future citizen suit. This would also have the benefit of encouraging the acquiring company to avoid future violations of the same type.

¹⁰ 42 U.S.C. § 7604(b)(1)(B).

¹¹ See, e.g., *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 428 (“[A] cause of action is a species of property protected by the Fourteenth Amendment’s Due Process Clause.”); *Bueno v. City of Donna*, 714 F.2d 484 (5th Cir. 1983) (“The standard for measuring an effective waiver of a constitutional right requires that the waiver be an ‘intentional relinquishment or abandonment of a known right or privilege.’”).

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III. U.S. EPA should require a third-party independent auditor in lieu of a self-audit before waiving U.S. EPA's right to bring enforcement actions for violations under the Clean Air Act

The Draft Agreement sets forth a procedure by which the acquiring company "shall conduct an Audit of its Facilities' compliance with agreed upon provisions of the Clean Air Act."¹² Under Appendix C, the acquiring company develops "the [COMPANY]-tailored Audit protocols and Audit checklists (Audit Instruments) for the Audits."¹³ In other words, the acquiring company will not only be conducting the audits but also setting the terms under which the audit is conducted. This gives too much discretion to a company that has a strong interest in not uncovering problems with its newly acquired facility.

The most basic responsibility of U.S. EPA is to protect the public, not the regulated industry. U.S. EPA is not meeting its duties under the Clean Air Act by, instead of bringing enforcement actions, letting companies audit themselves using audit rules created by those same companies. Further, U.S. EPA is relying on the acquirer to conduct the audit, even though that new purchaser may not be sufficiently familiar with the facility and operations to definitely determine whether violations have occurred.

U.S. EPA has also not adequately considered or prevented a scenario by which a company sells a problematic facility asset to a shell company, in order to take advantage of this lenient audit program for new purchasers by disclosing past violations that remain a liability in the absence of this type of waiver agreement.

To ensure an effective auditing program, U.S. EPA should instead require the use of an independent third-party auditor. For example, California has a successful third-party verification program under its Mandatory Reporting Regulation to ensure that industry accurately reports its greenhouse gas emissions. U.S. EPA should require a similar level of verification under its Draft Agreement before agreeing to waive violations of the Clean Air Act.¹⁴

IV. Conclusion

U.S. EPA should make it clear in the Draft Agreement that the waiver in paragraph 14 applies only to U.S. EPA actions, and not actions brought by States or under the citizen

¹² Draft Agreement ¶ 5.

¹³ Draft Agreement appx. C, ¶ 1.

¹⁴ Cal. Air Res. Bd., Mandatory GHG Reporting—Verification, <https://ww2.arb.ca.gov/verification>.

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Ms. Chapman, et al.
June 4, 2018
Page 7

suit provision of the Clean Air Act. U.S. EPA should also require use of an independent third-party auditor in the Draft Agreement.

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 5/14/2018 1:23:28 PM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Today's 2:00 XPS General

Jonathan -

No thank you, I will be out of the office and unable to participate. I appreciate the consideration.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical
Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

-----Original Message-----

From: Binder, Jonathan
Sent: Monday, May 14, 2018 9:14 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Today's 2:00 XPS General

I just rescheduled to 12:30. Phil & Gary, do you want to be added to the invite?

-----Original Message-----

From: Chapman, Apple
Sent: Monday, May 14, 2018 8:55 AM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Today's 2:00 XPS General

As it turns out, I am not free at 11:30. Can we do it at 12:30 or 1pm eastern instead? Phill just scheduled a meeting 11:30 - 12:30.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

-----Original Message-----

From: OKeefe, Susan
Sent: Monday, May 14, 2018 8:36 AM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Today's 2:00 XPS General

Amy - Jonathan and I are scheduled to have a call at 11:30 today with Apple and Jim Kenney to discuss Attorney-Client / Deliberative Process / Ex. 5 the New Owner Audit Program for Oil and Gas.

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

However, it may be a good idea to give Rosemarie a heads up about it. And we may have more to say after our call with Apple and Jim.

I'm copying Apple and Jim in case we end up discussing it during the 2:00 XPS General. If we put this first on the agenda, I'm hoping Apple can participate.

I'll check in with you after our 11:30 call.

Susan

Sent from my iPhone

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 6/22/2018 5:33:15 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: O&G Audit Program Q&A

Ok. I will add it.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

 - *iphone*

From: Chapman, Apple
Sent: Friday, June 22, 2018 1:21 PM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Munsel,
Attached is the final version. Please identify the link with the following title:

“Q &A on Oil and Natural Gas New Owner Audit Program”

You should place it below the standard agreement.
Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) |

Personal Phone / Ex. 6

 (mobile) |

From: Norris, Munsel
Sent: Friday, June 22, 2018 12:35 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Sounds good.

Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

iphone

From: Hull, George
Sent: Friday, June 22, 2018 12:34 PM

To: Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Munsel,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

- George

From: Norris, Munsel
Sent: Friday, June 22, 2018 12:24 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Hi George,

Can I add it in the box? Or add some content and link to the FAQs?

Thanks,

Munsel Norris

Information Technology Specialist

OECA/OCE/RMS

(202) 564-6659 – office phone

Personal Phone / Ex. 6 - *iphone*

From: Chapman, Apple
Sent: Tuesday, June 19, 2018 2:40 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Norris, Munsel <Norris.Munsel@epa.gov>
Subject: FW: O&G Audit Program Q&A

George,

Patrick and Susan have approved the attached Q&A for posting on the web. You were not included on the earlier emails (sorry about that, I inadvertently left you off when I started the approval process). I have included the email chain for your reference. Munsel helpfully reminded me I needed to include you.

Please let me know if you have any questions or concerns.

Thanks.

Apple

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Traylor, Patrick
Sent: Tuesday, June 19, 2018 2:16 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Good to post.

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Tuesday, June 19, 2018 10:52 AM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: O&G Audit Program Q&A

See attached. I will distribute the Q&A via email and ask Munsel to post once you give me the green light.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Monday, June 18, 2018 5:57 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Attorney-Client / Deliberative Process / Ex. 5

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Monday, June 18, 2018 5:24 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: O&G Audit Program Q&A

I have made 2 changes to the document (highlighted in yellow on page 1). Let me know if you approve. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Friday, June 15, 2018 4:43 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Thanks

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Chapman, Apple

Sent: Friday, June 15, 2018 3:22 PM

To: Traylor, Patrick <traylor.patrick@epa.gov>

Subject: RE: O&G Audit Program Q&A

Patrick I have revised the Q&A consistent with this change and also asked 2 of our law clerks to review the document for typos, readability, etc. They had a handful of good editorial suggestions that I incorporated. The new clean version is attached.

Attorney-Client / Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick

Sent: Wednesday, June 13, 2018 7:03 AM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Subject: Fwd: O&G Audit Program Q&A

Apple, with this change, the O&G audit Q&A document is good to post.

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

Begin forwarded message:

From: "Bodine, Susan" <bodine.susan@epa.gov>

Date: June 12, 2018 at 11:03:30 PM EDT

To: "Traylor, Patrick" <traylor.patrick@epa.gov>

Cc: "Starfield, Lawrence" <Starfield.Lawrence@epa.gov>

Subject: RE: O&G Audit Program Q&A

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Traylor, Patrick
Sent: Tuesday, June 12, 2018 10:33 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>
Subject: O&G Audit Program Q&A

Susan:

AED has anticipated a number of questions we would expect to receive from the press and at the upcoming stakeholder engagement meetings. They've put together the attached Q&A document, which we would plan to post on the O&G audit program webpage as soon as we approve it.

I've reviewed the document and have no revisions to suggest. Would you please let me have your comments/revisions/approval so we can post it?

Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6

 (cell)

Message

From: Tomb, Collin [ctomb@bouldercounty.org]
Sent: 6/4/2018 10:47:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Copeland, Cindy [ccopeland@bouldercounty.org]; Murphy, Patrick [pmurphy@bouldercounty.org]
Subject: EPA - New Owner CAA Audit Program for Oil & Gas
Attachments: EPA - CAA Audit Oil and Gas- New Owners-BCPH Comments.pdf

Hello Apple, Tim and Christopher,

Thank you for the opportunity to comment on the New Owner CAA Audit Program – please find our comments below and attached.

Please feel free to contact us with any questions regarding our feedback.

Boulder County Public Health (BCPH) generally supports the New Owner Clean Air Act (CAA) Audit Program for oil and natural gas exploration and production facilities. BCPH would like to take this opportunity to comment on this program and provide potential enhancements to create greater protections to public and environmental health. We find that as envisioned, the program is both efficient and cost effective, and has the potential to provide valuable information regarding compliance issues to new owners. The program provides flexibility to new owners to bring newly acquired facilities into compliance and avoid the potential for costly enforcement actions.

Environmental auditing through the New Owner CAA Audit Program serves to enhance the protection of human health and the environment by identifying, correcting, and preventing issues. Further, we find that this auditing also would benefit operators, as evidenced by the Range Resources case study, which shows that the program promotes responsible operations in the oil and gas industry, and further enhances the safe and efficient production of oil and natural gas. The New Owner CAA Audit Program is a positive step forward for facilities where a change of ownership has recently occurred. Ideally, Boulder County Public Health would encourage this program to be broader. We would encourage EPA to require all operators to perform an environmental audit of all of their facilities periodically. Specifically, the design of vapor control systems should be fully analyzed to be certain that they are designed and performing as expected. Oil and gas operators generally should be able to show that their operations are fully compliant with the Clean Air Act. Perhaps an enhanced requirement (periodic for all facilities instead of only at change of ownership) could be applied to those facilities operating within non-attainment areas.

In our region, the Denver Metro North Front Range (DMNFR) Non-Attainment Area continues to struggle to achieve attainment with 2008 NAAQS. Emissions from oil and gas production in the DMNFR are one of the largest contributors of ozone precursors. To protect air quality and public health, operators within DMNFR should be required to perform this type of analysis on all of their facilities. Colorado's Air Pollution Control Division (APCD) has recently put out recommended guidelines for similar analyses, but these are not required. A strong rubric set forward in the New Owner Clean Air Act (CAA) Audit Program could both ease and secure compliance and make a positive air quality impact at scale, particularly if expanded to all facilities within Non-Attainment Areas.

Thank you for your consideration,
Sincerely,

Patrick Murphy
Oil and Gas Specialist
Boulder County Public Health
Personal Phone / Ex. 6

Collin Tomb

Acting Air Quality Coordinator
Boulder County Public Health

Personal Phone / Ex. 6

Collin Tomb

LEED-AP

*Acting Air Quality Coordinator
Boulder County Public Health*

Personal Phone / Ex. 6



Public Health

Re: Comments requested by EPA for New Owner clean Air Act Audit Program

To Whom It May Concern,

June 4, 2018

Boulder County Public Health (BCPH) generally supports the New Owner Clean Air Act (CAA) Audit Program for oil and natural gas exploration and production facilities. BCPH would like to take this opportunity to comment on this program and provide potential enhancements to create greater protections to public and environmental health. We find that as envisioned, the program is both efficient and cost effective, and has the potential to provide valuable information regarding compliance issues to new owners. The program provides flexibility to new owners to bring newly acquired facilities into compliance and avoid the potential for costly enforcement actions.

Environmental auditing through the New Owner CAA Audit Program serves to enhance the protection of human health and the environment by identifying, correcting, and preventing issues. Further, we find that this auditing also would benefit operators, as evidenced by the Range Resources case study, which shows that the program promotes responsible operations in the oil and gas industry, and further enhances the safe and efficient production of oil and natural gas.

The New Owner CAA Audit Program is a positive step forward for facilities where a change of ownership has recently occurred. Ideally, Boulder County Public Health would encourage this program to be broader. We would encourage EPA to require all operators to perform an environmental audit of all of their facilities periodically. Specifically, the design of vapor control systems should be fully analyzed to be certain that they are designed and performing as expected. Oil and gas operators generally should be able to show that their operations are fully compliant with the Clean Air Act. Perhaps an enhanced requirement (periodic for all facilities instead of only at change of ownership) could be applied to those facilities operating within non-attainment areas.

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Boulder • 3450 Broadway • Boulder, Colorado 80304 • 303.441.1100

Longmont • 515 Coffman Street Suite 200 • Longmont, Colorado 80501 • 303.678.6166

Lafayette • 1345 Plaza Ct. N., Suite 3A • Lafayette, Colorado 80026 • 03.666.0515

www.BoulderCountyHealth.org



guidelines for similar analyses, but these are not required. A strong rubric set forward in the New Owner Clean Air Act (CAA) Audit Program could both ease and secure compliance and make a positive air quality impact at scale, particularly if expanded to all facilities within Non-Attainment Areas.

Thank you for your consideration,
Sincerely,

Patrick Murphy
Oil and Gas Specialist
Boulder County Public Health
(303) 441-1196

Collin Tomb
Acting Air Quality Coordinator
Boulder County Public Health
(303) 441-1131

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/14/2018 12:58:54 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Binder, Jonathan [Binder.Jonathan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: Re: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners

Sure. That works for me.

Sent from my iPhone

On May 14, 2018, at 8:55 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Can we reschedule for 12:30 or 1? I'm no longer free at this time.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

-----Original Appointment-----

From: Binder, Jonathan
Sent: Friday, May 11, 2018 1:02 PM
To: Binder, Jonathan; OKeefe, Susan; Chapman, Apple; Kenney, James
Subject: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners
When: Monday, May 14, 2018 11:30 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where:

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

May 07, 2018

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities. Once finalized, the draft would replace a default presumption under the current 2008 audit policy that new owners have 60 days to correct environmental violations they discover. More flexible language in the new plan allows the agency and the owner to negotiate the timeframe for proposed fixes.

The agreement, however, does call on participating companies to correct some violations within 60 days or seek an extension, including emissions violations "unrelated to engineering and/or design issues," according to its text.

The policy appears aimed at equipment leaks that could release emissions of both ozone-forming volatile organic compounds and the potent greenhouse gas methane, with several direct references to storage tanks or related equipment. The draft policy, on which EPA is seeking public comment until June 4, follows through with prior indications from EPA officials that they are looking for ways to strike a more collaborative tone with the oil and gas industry.

That includes past statements from EPA officials that the 2008 audit policy is better tailored to a few individual facilities, not hundreds of operations now changing ownership within the oil and gas sector.

"We think it would be wise to take that policy and create a stand-alone program on the side for use only in the oil and gas sector -- at this point at least -- to streamline the new owner audit policy," said EPA enforcement official Patrick Traylor during a March 20 meeting of the Environmental Council of the States.

The new policy would use a standard oil and gas audit informed by a prior agreement with Texas gas producer Range Resources Corporation.

Message

From: Amber Potts [amber.potts@wyo.gov]
Sent: 6/4/2018 9:38:29 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Colin McKee [colin.mckee@wyo.gov]; Todd Parfitt [todd.parfitt@wyo.gov]; nancy.vehr1@wyo.gov; Morales, Monica [Morales.Monica@epa.gov]
Subject: Wyoming Air Quality Division New Owner Audit Program Comment Letter, 6/4/18
Attachments: Audit Program - comments 05-24-2018.pdf

Good afternoon,

Attached is the Wyoming Department of Environmental Quality - Air Quality Division's comment letter on the New Owner Clean Air Act Audit Program.

Please let me know if there are any questions, and have a great day.

Best regards,

Amber Potts

Wyoming DEQ - AQD

State Implementation Planning and Rule Development

Personal Phone / Ex. 8

amber.potts@wyo.gov

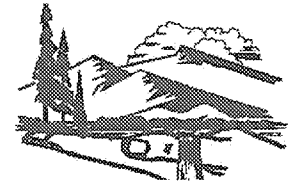
Please consider the environment before printing this email.

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

June 4, 2018

Submitted via email to:

chapman.apple@epa.gov

sullivan.tim@epa.gov

williams.christopher@epa.gov

RE: Oil and Natural Gas Exploration and Production Facilities – New Owner Audit Program

To EPA:

The Environmental Protection Agency (EPA) is in the process of developing a New Owner Clean Air Act Audit Program tailored for the oil and natural gas sector. EPA developed a draft standard audit program agreement that includes a requirement that companies assess storage tank battery vapor control system design as part of the audit process. The Wyoming Department of Environmental Quality, Air Quality Division (Division) appreciates the opportunity to comment on EPA's new program.

I. Introduction

The State of Wyoming has a voluntary environmental audit program. See Wyo. Stat. Ann. §§ 35-11-1105 and -1106. Wyoming's environmental audit program leverages state resources and provides for improved compliance and communication. The purpose of the environmental audit is to identify current compliance, identify and correct noncompliance, and to improve future compliance. Environmental audits lead to emission reductions secured through improved compliance.

Under Wyoming's environmental audit program, statutory, regulatory, and permit requirements are identified, and the audit evaluates the company's performance relative to those requirements. Where performance gaps are identified, an implementation plan is developed to correct past non-compliance, improve current compliance, and prevent future noncompliance. Wyo. Stat. Ann. § 35-11-1105(a)(ii)(C). Currently, approximately 5% of facilities within Wyoming are or have participated in Wyoming's voluntary environmental audit program. Most of the participating facilities are in the oil and gas sector. Based on its experience with environmental audits, the Division agrees with and supports the first paragraph of EPA's audit program agreement that "Environmental auditing plays a critical role in protecting human health and the environment by identifying, correcting, and preventing violations of environmental laws and regulations."

II. EPA O&G Audit Program Agreement

A. Introduction

Cooperative federalism recognizes that environmental protection is a shared responsibility between states, local governments, tribes, and the federal government. Many states and local governments are the primary day-to-day implementers of the Clean Air Act and their specific air quality programs. Because of the primacy-entity's unique role under cooperative federalism, the EPA generally defers to the primacy-entity with respect to

compliance and enforcement matters. Therefore, in recognition of cooperative federalism and primacy principles, the Division suggests that if a company does not enter into a parallel audit agreement with the primacy-entity, the EPA should inform and provide a copy of the agreement to the primacy-entity. This will help improve communication and coordination of compliance and enforcement between EPA and the primacy-entity regarding facilities covered under the agreement. And, if EPA engages in any negotiations regarding facilities covered under the agreement, EPA should inform and invite the primacy-entity to participate in those negotiations.

B. Covered Facilities

EPA's agreement provides that EPA has the discretion to decide whether to grant a Company's request to include additional oil and natural gas exploration and production facilities that it acquired after the audit effective date. The Division suggests that in the event of a denial, EPA may consider providing the Company with the option to enter into a separate audit agreement with an audit effective date triggered by the new acquisition.

C. Schedule

Building flexibility in the timeline to complete an audit is desirable. EPA should also consider factors such as location, season, and accessibility. For example, there are some Companies in Wyoming that shut-in oil and gas production facilities due to extreme weather, stipulations to protect wildlife, or in response to commodity price drops. In those or other unique situations, EPA may consider providing an extended timeline for reviewing or correcting compliance concerns.

D. Corrective Actions

Wyoming's experience has been that due to unique circumstances beyond a Company's control, it is occasionally impossible for a Company to correct violations within sixty (60) days. Examples of these unique circumstances include severe weather conditions, facilities located in areas that are inaccessible part of the year, and challenges associated with the delivery of equipment to remote areas. Maintaining an option to extend that timeline to account for these circumstances is important.

E. General Provisions in Section IV

Under principles of cooperative federalism, State Implementation Plan (SIP) and permit requirements, the Division recommends that EPA specifically note that the primacy-entity may also have specific jurisdiction over the subject matter and submitted materials. Because covered facilities may be located in several different states, EPA may consider including a venue provision.

F. Notifications in Section VI

The Division appreciates that EPA recognized that Companies may have obligations independent of the audit agreement to submit "required documents and information" to the primacy-entity in connection with corrective actions taken. The Division suggests that in addition to notifying primacy-entities after violations have been disclosed and corrected, EPA also notify primacy-entities upon EPA's determination that a Company is eligible to participate in EPA's audit program. Earlier notification supports cooperative federalism efforts and would likely facilitate parallel audit agreements with primacy-entities that have an audit policy.

G. Appendix A – Definitions

Advancements in infra-red (IR) technology and unmanned aerial vehicles (UAVs) continue to improve and the oil and natural gas exploration and production sector is exploring use of these systems. The Division suggests that expanding the definitions to include technology advancements would encourage further innovation.

H. Appendix C – Audit Program Reporting and Recordkeeping Requirements

i. Reporting Requirements

The Division suggests that the Agreement require companies to also provide copies of the reports to the primacy-entity. This would help ensure that there is not any miscommunication when a company takes action to correct compliance concerns that are also part of the SIP or is a state permit requirements.

ii. Semi-annual reports

The Division suggests that companies should also submit semi-annual reports to the appropriate primacy-entity. Keeping states informed allows states to better ensure that facilities come into compliance through the audit. Because the primacy-entity inspects these facilities, it is helpful to have background information about the audits, especially where a company may request compliance assistance.

iii. Final Reports

The Division suggests that companies should also submit final reports to the appropriate primacy-entity. Keeping states informed allows states to better validate and ensure that facilities have come into compliance through the audit. Finally, while cost to return to compliance is important, pollutant emission reductions are even more significant to capture. Therefore, the Division suggests that EPA reorder items 3.B.ii and 3.B.iii.

III. Conclusion

Overall, Wyoming's audit program has proven beneficial in improving compliance, communication, work practices, and other procedures. The Division appreciates, supports, and encourages EPA to implement the New Owner Audit Program Agreement for Oil and Natural Gas Exploration and Production Facilities. The Division also encourages EPA to consider as appropriate the expansion of its audit program to other facility sectors. Finally, the Division looks forward to working with EPA as EPA implements this program in Wyoming. Thank you for the opportunity to provide comment. As always, the Division is available to discuss these comments with you. Please feel free to contact me at 307-777-3746.

Sincerely,



Nancy E. Vehr

Air Quality Division Administrator

Cc: Todd Parfitt, Wyoming Department of Environmental Quality, Director
Colin McKee, Wyoming Governor's Office, Policy Advisor
Monica Morales, EPA Region 8, Air Program Director

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 7/30/2018 2:43:42 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: EEPI SIT August 1 Call - Draft Agenda

The following are a few suggested items for Wednesday's call. Any others?

Deliberative Process / Ex. 5

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 6/25/2018 3:28:59 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: O&G Audit Program Q&A

Sure Apple.

Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

From: Chapman, Apple
Sent: Monday, June 25, 2018 11:28 AM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Thanks! Deliberative Process / Ex. 5

Also, there is a typo on this page (missing “the”):

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Norris, Munsel
Sent: Friday, June 22, 2018 3:23 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Complete.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

From: Chapman, Apple
Sent: Friday, June 22, 2018 1:21 PM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Munsel,
Attached is the final version. Please identify the link with the following title:

“Q &A on Oil and Natural Gas New Owner Audit Program”

You should place it below the standard agreement.
Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Norris, Munsel
Sent: Friday, June 22, 2018 12:35 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Sounds good.

Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

From: Hull, George
Sent: Friday, June 22, 2018 12:34 PM
To: Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Munsel,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 - George

From: Norris, Munsel
Sent: Friday, June 22, 2018 12:24 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: O&G Audit Program Q&A

Hi George,

Can I add it in the box? Or add some content and link to the FAQs?

Thanks,

Munsel Norris

Information Technology Specialist

OECA/OCE/RMS

(202) 564-6659 – office phone

Personal Phone / Ex. 6 *iphone*

From: Chapman, Apple

Sent: Tuesday, June 19, 2018 2:40 PM

To: Hull, George <Hull.George@epa.gov>

Cc: Norris, Munsel <Norris.Munsel@epa.gov>

Subject: FW: O&G Audit Program Q&A

George,

Patrick and Susan have approved the attached Q&A for posting on the web. You were not included on the earlier emails (sorry about that, I inadvertently left you off when I started the approval process). I have included the email chain for your reference. Munsel helpfully reminded me I needed to include you.

Please let me know if you have any questions or concerns.

Thanks.

Apple

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Traylor, Patrick

Sent: Tuesday, June 19, 2018 2:16 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Subject: RE: O&G Audit Program Q&A

Good to post.

Patrick Traylor

Deputy Assistant Administrator

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Chapman, Apple

Sent: Tuesday, June 19, 2018 10:52 AM

To: Traylor, Patrick <traylor.patrick@epa.gov>

Subject: RE: O&G Audit Program Q&A

See attached. I will distribute the Q&A via email and ask Munsel to post once you give me the green light.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

From: Traylor, Patrick
Sent: Monday, June 18, 2018 5:57 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Attorney-Client / Deliberative Process / Ex. 5

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Monday, June 18, 2018 5:24 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: O&G Audit Program Q&A

I have made 2 changes to the document (highlighted in yellow on page 1). Let me know if you approve. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Friday, June 15, 2018 4:43 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: O&G Audit Program Q&A

Thanks, **Attorney-Client / Deliberative Process / Ex. 5**

Attorney-Client / Deliberative Process / Ex. 5

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Friday, June 15, 2018 3:22 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: O&G Audit Program Q&A

Patrick I have revised the Q&A consistent with this change and also asked 2 of our law clerks to review the document for typos, readability, etc. They had a handful of good editorial suggestions that I incorporated. The new clean version is attached.

Attorney-Client / Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Wednesday, June 13, 2018 7:03 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Fwd: O&G Audit Program Q&A

Apple, with this change, the O&G audit Q&A document is good to post.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Begin forwarded message:

From: "Bodine, Susan" <bodine.susan@epa.gov>
Date: June 12, 2018 at 11:03:30 PM EDT
To: "Traylor, Patrick" <traylor.patrick@epa.gov>
Cc: "Starfield, Lawrence" <Starfield.Lawrence@epa.gov>
Subject: RE: O&G Audit Program Q&A

Deliberative Process / Ex. 5

From: Traylor, Patrick
Sent: Tuesday, June 12, 2018 10:33 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>
Subject: O&G Audit Program Q&A

Susan:

AED has anticipated a number of questions we would expect to receive from the press and at the upcoming stakeholder engagement meetings. They've put together the attached Q&A document, which we would plan to post on the O&G audit program webpage as soon as we approve it.

I've reviewed the document and have no revisions to suggest. Would you please let me have your comments/revisions/approval so we can post it?

Patrick

Patrick Traylor

Deputy Assistant Administrator

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/11/2018 6:59:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

Thanks. I'll check with Andrew and get back to you

From: Chapman, Apple
Sent: Friday, May 11, 2018 2:45 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>
Subject: FW: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

Here is the email Jim sent. It's brief. The link provides a little more detail. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5 Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile) |

From: Kenney, James
Sent: Friday, May 04, 2018 5:18 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

Hello Oil and Natural Gas Stakeholder –

As discussed at the Oil and Natural Gas Roundtable in February of this year, EPA is in the process of developing a New Owner Clean Air Act Audit Program tailored for the Oil and Natural Gas Sector. EPA developed a [draft standard audit program agreement template](#) and is now accepting comments through Monday, June 4, 2018. EPA will conduct outreach on the draft standard audit program and seek feedback from states, tribes, the regulated community, environmental organizations and other stakeholders. For those of you attending the Interstate Oil and Gas Compact Commission meeting starting on Sunday, May 6, we look forward to sharing more information on the draft standard audit program template during that meeting.

Please submit your individual comments directly to: chapman.apple@epa.gov, sullivan.tim@epa.gov, and williams.christopher@epa.gov. For questions regarding the draft, please contact Apple Chapman (Tel. 202-564-5666) or Tim Sullivan (Tel. 303-312-6196).

Sincerely,
Jim Kenney

--

James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: **Personal Phone / Ex. 6** | **Email:** kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/11/2018 6:37:15 PM
To: Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Oh, yes, great catch, Phil! Looks good!
Thank you!

From: Milton, Philip
Sent: Friday, May 11, 2018 9:00 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Amy –

Deliberative Process / Ex. 5

Munsel – If Amy agrees would you please update that webpage as well. Thanks again for all your work on this.

Deliberative Process / Ex. 5

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Porter, Amy
Sent: Thursday, May 10, 2018 3:47 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

This looks good to me, Phil. I'm ok with your proposed change to main page.

From: Milton, Philip
Sent: Thursday, May 10, 2018 2:54 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Here are three files that reflect placing the hi-level summary at the top of the eDisclosure, New Owner, and Audit Policy webpages. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Jonesi, Gary
Sent: Thursday, May 10, 2018 1:25 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece that accepts the OECA I/O's edits. Both are also revised to make all hyperlinks blue.

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jones
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: OGCLibrary; **Personal Email / Ex. 6**
Sent: 5/11/2018 3:45:12 PM
To: Adair, Jocelyn [Adair.Jocelyn@epa.gov]; Allnutt, David [Allnutt.David@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]; Anderson, Steve [Anderson.Steve@epa.gov]; Aranda, Amber [aranda.amber@epa.gov]; Averback, Jonathan [Averback.Jonathan@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov]; Blake, Wendy [Blake.Wendy@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Charlton, Tom [Charlton.Tom@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]; Cozad, David [Cozad.David@epa.gov]; Crum, Lynda [Crum.Lynda@epa.gov]; Davis, Julian [davis.julian@epa.gov]; Dickinson, David [Dickinson.David@epa.gov]; Dierker, Carl [Dierker.Carl@epa.gov]; Dubey, Susmita [dubey.susmita@epa.gov]; Dubois, Roland [Dubois.Roland@epa.gov]; Dugan, Brett [Dugan.Brett@epa.gov]; Frey, Bert [frey.bertram@epa.gov]; Froikin, Sara [Froikin.Sara@epa.gov]; Graham, Cheryl [Graham.Cheryl@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Harrison, Ben [Harrison.Ben@epa.gov]; Hindin, David [Hindin.David@epa.gov]; Hoffman, Howard [hoffman.howard@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Holmes, Carol [Holmes.Carol@epa.gov]; Iddings, Brianna [Iddings.Brianna@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Jordan, Scott [Jordan.Scott@epa.gov]; Kane, Eleanor [kane.eleanor@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Klepp, Robert [Klepp.Robert@epa.gov]; Knapp, Kristien [Knapp.Kristien@epa.gov]; Kodish, Jeff [Kodish.Jeff@epa.gov]; Krallman, John [krallman.john@epa.gov]; Kryman, Matthew [Kryman.Matthew@epa.gov]; Kulschinsky, Edward [Kulschinsky.Edward@epa.gov]; Lee, Michael [lee.michaelg@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Lovett, Lauren [Lovett.Lauren@epa.gov]; Manners, Mary [manners.mary@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Matthews, Julie [Matthews.Juliane@epa.gov]; McConkey, Diane [Mcconkey.Diane@epa.gov]; Michaels, Lauren [Michaels.Lauren@epa.gov]; Morgan, Jeanette [Morgan.Jeanette@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Nelson, Karen [nelson.karen@epa.gov]; Ng, Brian [Ng.Brian@epa.gov]; Nguyen, Duch [Nguyen.Duch@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]; Odendahl, Steve [Odendahl.Steve@epa.gov]; OGC NFO FEAT **Personal Email / Ex. 6**; Okoye, Winifred [Okoye.Winifred@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Palmer, Karen [Palmer.Karen@epa.gov]; Pastorkovich, Anne-Marie [Pastorkovich.Anne-Marie@epa.gov]; Pilchen, Zach [Pilchen.Zach@epa.gov]; Portmess, Jessica [Portmess.Jessica@epa.gov]; Rodman, Sonja [Rodman.Sonja@epa.gov]; Rowland, John [Rowland.John@epa.gov]; Schaaf, Eric [Schaaf.Eric@epa.gov]; Schmidt, Lorie [Schmidt.Lorie@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Seidman, Emily [seidman.emily@epa.gov]; Senn, John [Senn.John@epa.gov]; Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]; Skinner-Thompson, Jonathan [Skinner-Thompson.Jonathan@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Snyder, Doug [Snyder.Doug@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stern, Allyn [Stern.Alyn@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Thrift, Mike [thrift.mike@epa.gov]; Tierney, Jan [tierney.jan@epa.gov]; Ting, Kaytrue [Ting.Kaytrue@epa.gov]; Tozzi, Lauren [Tozzi.Lauren@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Vergeront, Julie [Vergeront.Julie@epa.gov]; Versace, Paul [Versace.Paul@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]; Wilcox, Geoffrey [wilcox.geoffrey@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Zenick, Elliott [Zenick.Elliott@epa.gov]
Subject: Air & Radiation Law News for May 11, 2018



Air & Radiation Law News for May 11, 2018

Bloomberg
Environment

Environment &
Energy

Pruitt Wants EPA Air Pollution Reviews to Weigh Economic Impact

By Jennifer A. Dlouhy

The Environmental Protection Agency should weigh the effects potential air pollution requirements will have on the economy, agency head Scott Pruitt said in a memo outlining new procedures for reviewing air quality standards.

U.S. Says Suing Teens Can't Force Trump to Fix Climate Change

By Kartikay Mehrotra (Bloomberg) and Abby Smith (Bloomberg Environment)

President Donald Trump should be immune from facing a lawsuit by a group of teenagers accusing the federal government of doing little to nothing to combat climate change, according to the Justice Department.

Climate Talks Stall as Detail Sought on \$100 Billion Finance

By Mathew Carr

Two weeks of climate talks organized by the United Nations finished with developing countries demanding more clarity from their richer counterparts on when a promised package of \$100 billion in aid will materialize.

Apple Backs Alcoa, Rio Tinto to Develop Carbon-Free Metal Making

By Mark Gurman and Joe Deaux

Apple Inc. is backing a joint venture between metal producers Alcoa Corp. and Rio Tinto Group to develop a new aluminum-making process that eliminates greenhouse gases.

Energy Department Rethinks Market-Based Approach on Efficiency

By Rebecca Kern

The Energy Department has no immediate plan to move ahead with changes to its home appliance efficiency program, as it considered doing last year, according to the agency's spring regulatory agenda released May 9.

Think Solar Is Upending California's Power Grid Now? Just Wait

By Mark Chediak

California just mandated that nearly all new homes have solar, starting in less than two years. Now, it's going to have to figure out what to do with all of that extra energy.

Trump's NAAQS Overhaul Prompts Questions On Scope Of CASAC's Input

President Donald Trump's directive for EPA to overhaul and streamline the national ambient air quality standards (NAAQS) review process is prompting questions over how it might affect the Clean Air Scientific Advisory Committee's (CASAC) input on NAAQS, including new consideration of costs and possibly undermining some air science.

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

Wehrum Aids Industry By Raising Bar For 'Aggregation' In NSR Air Permits

EPA air chief William Wehrum is aiding industry groups in their bid to avoid strict Clean Air Act new source review (NSR) permits by raising the bar for when emissions sources must be "aggregated," or combined, and counted as a single source -- one of several policy steps the Trump administration is taking to ease the NSR program.

SAB Panel Seeks Rare Review Of Three Trump EPA Climate Rule Rollbacks

A workgroup of EPA's Science Advisory Board (SAB) is recommending that the full board review the science underlying three planned rollbacks of Obama-era climate rules -- for new and existing power plants, as well as new and modified oil and gas sources -- after finding that EPA may not use adequately peer-reviewed science to justify the plans.

Top Auto Official Sees Vehicle GHG Deal Possible Despite 'Rough' Politics

A key auto industry official is downplaying the substantive differences between the Trump administration, California, automakers and environmentalists on vehicle greenhouse gas and fuel economy rules, framing the issue as a political problem that could be overcome by parties willing to reach a deal.

California Moves To Ensure Compliance With Current Vehicle GHG Rules

As EPA prepares to weaken its passenger vehicle greenhouse gas standards through model year 2025, the California Air Resources Board (CARB) is floating an amendment to the state's nearly identical rule that automakers would only be "deemed to comply" with state standards if their vehicles meet current national limits, not any weaker federal standard.

AIR POLLUTION

Pruitt outlines plan to overhaul Clean Air Act reviews

Sean Reilly, E&E News reporter

Published: Thursday, May 10, 2018



EPA Administrator Scott Pruitt, shown here at an event yesterday, signed a memo to guide the handling of future National Ambient Air Quality Standards reviews. @EPAScottPruitt/Twitter

EPA Administrator Scott Pruitt is moving to revamp the agency's machinery for setting air quality standards for a half-dozen key pollutants, with a goal of completing two particularly charged reviews before the conclusion of President Trump's current term.

In a [memo](#) released this morning laying out five "principles" for handling of the National Ambient Air Quality Standards (NAAQS), Pruitt said he was ordering agency staff to launch a fresh assessment of the ground-level ozone standard so that it can be wrapped up by a statutorily required deadline of October 2020.

EPA also intends to accelerate an ongoing assessment of the particulate matter standards, currently scheduled to end in 2022, so that it will conclude in December 2020, Pruitt indicated.

Among a host of other changes laid out in the 11-page memo, Pruitt seeks to streamline procedures for evaluating scientific research used to determine whether current or proposed standards are adequate to protect public health, and differentiate between "science and policy considerations" during reviews of the standards.

He also wants to require EPA to issue implementation regulations at the same time it orders changes to the thresholds for ozone, particulate matter and the four other "criteria" pollutants listed in the Clean Air Act.

Advertisement

The Clean Air Scientific Advisory Committee, a seven-member panel that offers outside expertise to EPA during the reviews, would have to examine "adverse" economic and energy effects that might result from revisions to the standards for the six pollutants. That step is backed by industry groups but opposed by environmental and public health organizations.

The planned changes come less than a month after Trump ordered EPA to study the NAAQS review process, a cornerstone of the Clean Air Act.

They will "reform" standard-setting procedures "in a manner consistent with cooperative federalism and the rule of law," Pruitt said in a statement today.

"Getting EPA and its advisers back on track with Clean Air Act requirements, statutory deadlines, and the issuance of timely implementation rules will ensure that we continue the dramatic improvement in air quality across the country."

Critics, while still digesting the potential impact this morning, denounced the effort as an attempt to undercut the act's requirement that pollution standards be set to protect public health with an "adequate margin of safety."

They also linked it to two other Pruitt initiatives: changes to membership requirements for EPA advisory panels announced last fall and a recently published proposal that would limit the types of studies the agency could tap in crafting new regulations.

"We're seeing a coordinated effort," said Paul Billings, senior vice president for advocacy at the American Lung Association, adding that the group plans to fight the changes outlined in the memo "with all tools available."

Taken together, the changes, undertaken with no advance notice or opportunity for public comment, would amount to a major overhaul of the NAAQS review process.

Under the act, EPA is supposed to assess the standards for the six pollutants, which also include airborne lead, nitrogen dioxide, sulfur dioxide and carbon monoxide, every five years. In practice, the agency rarely, if ever, meets that timetable.

"Those delays result in uncertainty as well as lost opportunities for implementing the NAAQS to protect the environment in a manner compatible with a robust American economy," Pruitt said in the memo.

But by ordering a new review of the ozone standard, last tightened to 70 parts per billion in October 2015, Pruitt is setting a start-to-finish timeline of less than 2 ½ years.

Litigation surrounding that 70 ppb threshold is, meanwhile, unresolved. A coalition of industry groups argues that EPA acted arbitrarily in lowering it from the previous level of 75 ppb; environmental and public health organizations, including the lung association, say the scientific evidence warrants cutting it as low as 60 ppb.

At EPA's request, however, the consolidated litigation, playing out before the U.S. Court of Appeals for the District of Columbia Circuit, has been on hold since April 2017 while the agency reconsiders its position.

EPA air chief Bill Wehrum did not immediately reply to an email asking when the agency plans to begin the new review; the agency's latest six-month regulatory agenda, released yesterday, does not mention it.

The last review of the particulate matter standards ended in 2012. Since then, a mounting body of scientific evidence has suggested the current limits are not strong enough to adequately protect public health.

A Harvard University study published last summer, for example, found that prolonged exposure to rising levels of fine particulates — even at levels below EPA's current annual level of 12 micrograms per cubic meter of air — led to more hospital stays.

Industry groups, worried about the compliance costs that would accompany particulate matter limits, have been watching warily.

Pruitt did not give a precise rationale for now setting a December 2020 deadline for completion of the current assessment, but said EPA "should seek to identify efficiencies in the simultaneous reviews" of the ozone and particulate matter standards.

By that point, the Clean Air Scientific Advisory Committee, whose seven members traditionally come mainly from academia, will likely be fully controlled by Pruitt appointees. Under the new membership criteria for EPA advisory committees rolled out last October, anyone with a current EPA grant is barred from serving.

Three of the board's seven members have since been appointed by Pruitt. The terms of the other four all expire later this year; EPA has already sought nominations for their replacements.

Among the three members named by Pruitt is the board's chairman, Tony Cox, a Colorado consultant whose clients have included the American Petroleum Institute. Cox opposed EPA's 2015 decision to tighten the ozone standard.

In an email to E&E News last month, Cox said he had not decided on whether the particulate matter standards need to be changed.

PENNSYLVANIA

Governor to set up clean air program with Volkswagen cash

Published: Thursday, May 10, 2018

Pennsylvania will use \$118 million in settlement money from Volkswagen's cheating emissions scandal to battle air pollution in the state, the governor announced today.

Gov. Tom Wolf (D) said he is organizing [Driving PA Forward](#), which will give out grants and rebates with the goal of boosting air quality.

The aim of the project is to replace older diesel engines with updated technology and slash nitrogen oxide emissions by 27,700 tons.

"Clean air is the cornerstone of a clean, healthy environment," Wolf said in a statement. "When Volkswagen cheated on its emissions equipment, it undermined that cornerstone."

Volkswagen Group of America Inc.'s payment comes from a settlement after the company sold almost 600,000 diesel-engine vehicles with rigged emissions software (Mark Scoloro, [Associated Press](#), May 10). — **CS**

ELECTRIC VEHICLES

Feds investigate another Tesla crash after 2 teens die

Published: Thursday, May 10, 2018

The National Transportation Safety Board announced yesterday that it will investigate a Tesla Inc. Model S car crash that killed two teenagers Tuesday in Fort Lauderdale, Fla.

This is the fourth ongoing federal probe into the company's vehicles.

The latest investigation will focus on the emergency response to the fire caused by the car's lithium-ion battery. The agency said it does not expect the car's Autopilot system to be part of the probe.

"We have not yet been able to retrieve the logs from the vehicle, but everything we have seen thus far indicates a very high-speed collision and that Autopilot was not engaged," a Tesla spokesman said in a statement.

The company previously said the semiautonomous driving system was engaged during a crash in March that killed a man in California ([Greenwire](#), April 2). The safety board rebuked Tesla for releasing details.

On Tuesday, the driver and front-seat passenger in the car died after the vehicle went off the road and into a concrete wall. A third passenger was taken to the hospital after being ejected from the car (Campo-Flores/Higgins, [Wall Street Journal](#), May 9). — **CS**

AIR POLLUTION

Veterans push to continue suits over toxic burn pits

Published: Thursday, May 10, 2018

Veterans and their families are pushing for a reinstatement of more than 60 lawsuits alleging that a former branch of Halliburton Co. dumped tires, batteries, medical waste and other things into burn pits that caused health problems for troops serving in Iraq and Afghanistan.

The smoke caused gastrointestinal illnesses, neurological problems, respiratory problems and cancers in more than 800 military members, the lawsuits say.

The lawsuits were consolidated, and a judge in Maryland dismissed them last year. The plaintiffs asked a 4th U.S. Circuit Court of Appeals judge to reverse that ruling.

Attorney Susan Burke said KBR Inc. violated the terms of its contract and a military order against burning toxic materials.

KBR says the decision to use the burn pits came from the military (Denise Lavoie, [Associated Press](#), May 9). — NB

PARIS AGREEMENT

Obama climate envoy pushes to preserve deal he helped create

Published: Thursday, May 10, 2018

Todd Stern, President Obama's special envoy for climate change, was busy at a conference in Germany this week trying to reinforce the Paris climate deal, which he had a hand in creating.

Despite President Trump's pledge to pull the United States from the agreement, Stern, who now works at a think tank, made the case that the deal suits the nation's long-term interests.

"I don't want to see the Paris Agreement roll off the tracks," Stern said.

The meeting of about 200 nations ended today after talks on a "rule book" for the Paris Agreement. Stern said a strong rule book "is not only in the interests of the U.S. ... It would mean everyone can say: 'That's a pretty good deal.'"

The U.S. delegation in Bonn wanted strong rules for reporting and monitoring emissions, in a rare bit of agreement between Obama and Trump. The United States will only formally exit the agreement in 2020 (Alister Doyle, [Reuters](#), May 10). — NB

PARIS AGREEMENT

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TRADE

Senators want utility-scale solar exempted from tariffs

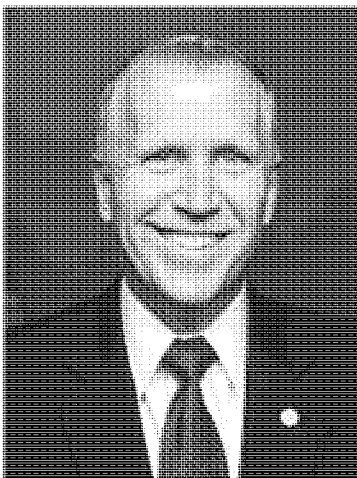
[Geof Koss](#), E&E News reporter

Published: Thursday, May 10, 2018

A group of Republican senators are calling on the Trump administration to exclude utility-scale solar panels from tariffs imposed earlier this year.

In a [letter](#) to top administration officials to be released later today, Sen. Thom Tillis (R-N.C.) and seven other Republicans call for 72-cell, 1,500-volt utility-scale panels to be spared from the tariffs.

"Solar manufacturing jobs have surged 58% in the last five years, and the growth rate in over 50 factories throughout the Midwest and South has become increasingly affiliated with the deployment of these 72 cell, 1500 volt panels that have never been manufactured in the United States," the senators wrote to U.S. Trade Representative Robert Lighthizer, Commerce Secretary Wilbur Ross and Energy Secretary Rick Perry.



Sen. Thom Tillis (R-N.C.). [Senate/Wikipedia](#)

"The exclusion of 72-cell, 1500 volt solar panels from the safeguard measure will preserve tens of thousands of existing solar manufacturing and development jobs, foster market expansion, and allow the U.S. to once again fairly compete in the global marketplace for energy production technologies," they wrote.

"Sensible product exclusions will uphold the integrity of the safeguard measures intended to facilitate positive adjustment to competition from imports of certain crystalline silicon photovoltaic cells," they said.

Also signing the letter were Sens. Dean Heller (R-Nev.), Jerry Moran (R-Kan.), Cory Gardner (R-Colo.), Lindsey Graham (R-S.C.), Richard Burr (R-N.C.), Pat Roberts (R-Kan.) and Tim Scott (R-S.C.).

The plea follows President Trump's January decision establishing a 30 percent tariff on solar panel imports, which will decline in increments over four years (*E&E News PM*, Jan. 23).

The move, later followed by tariffs on steel and aluminum imports, has sparked concerns from members of both parties of a broader trade war.

Last month, a bipartisan band of House lawmakers launched a long-shot bid to scrap the solar tariffs (*E&E News PM*, April 19). However, Republicans in both chambers have largely sought to nudge the administration to soften the economic blow of Trump's actions.

[Read today's Climatewire on the web](#)

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A network of conservative groups funded by influential GOP donors has been providing EPA Administrator Scott Pruitt with briefings and heaps of documents that reject mainstream climate science.

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Climatewire is written and produced by the staff of E&E News. It is designed to provide comprehensive, daily coverage of all aspects of climate change issues. From international agreements on carbon emissions to alternative energy technologies to state and federal GHG programs, Climatewire plugs readers into the information they need to stay abreast of this sprawling, complex issue.

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AN E&E NEWS PUBLICATION

ENERGYWIRE — Fri., May 11, 2018

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3. ELECTRICITY:

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4. NUCLEAR:

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5. ELECTRICITY:

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3334C WJC West

US EPA Headquarters, Washington, D.C.

Desk: 202-566-1432

McCune.Jennifer@epa.gov

Tell us how we're doing - rate our customer service!

Personal Email / Ex. 6

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/11/2018 1:33:07 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Tribal Consultation for O&G audit program

OECA's internal framework for determining whether consultation is appropriate. See

[Intranet web address / Ex. 6](#) and [Deputy Assistant Administrator Note Regarding OECA Tribal Consultation Decision Framework \(PDF\)](#)

-----Original Appointment-----

From: Porter, Amy
Sent: Wednesday, May 9, 2018 2:08 PM
To: Porter, Amy; Chapman, Apple; OKeefe, Susan; Binder, Jonathan; Milton, Philip; Jonesi, Gary
Subject: Tribal Consultation for O&G audit program
When: Friday, May 11, 2018 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: 3118B

Call in number

[Personal Phone / Ex. 6](#)

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 5/11/2018 1:01:39 PM
To: Milton, Philip [Milton.Philip@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: Re: Audit Refresh - proposed revisions - proposed placement on webpages

Ok Phil.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

 - *iphone*

On May 11, 2018, at 9:00 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Amy –

Deliberative Process / Ex. 5

Munsel – If Amy agrees would you please update that webpage as well. Thanks again for all your work on this.

<image003.png>

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement
Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Porter, Amy
Sent: Thursday, May 10, 2018 3:47 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

This looks good to me, Phil. I'm ok with your proposed change to main page.

From: Milton, Philip
Sent: Thursday, May 10, 2018 2:54 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph

<Theis.Joseph@epa.gov>

Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Here are three files that reflect placing the hi-level summary at the top of the eDisclosure, New Owner, and Audit Policy webpages.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement
Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Jonesi, Gary

Sent: Thursday, May 10, 2018 1:25 PM

To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>

Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece that accepts the OECA I/O's edits. Both are also revised to make all hyperlinks blue.

--Gary

<image004.jpg>

<image005.png>

Gary A. Jonesi

Office of Civil Enforcement

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)

Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Message

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/24/2018 3:24:49 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: EPA New Owner Self Audit Program for O&G

Thanks.

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 24, 2018 11:24 AM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA New Owner Self Audit Program for O&G

<https://www.epa.gov/compliance/epas-audit-policy>

<https://www.epa.gov/compliance/epa-announces-renewed-emphasis-self-disclosed-violation-policies>

Let me know if you have questions.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Thursday, May 24, 2018 11:17 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA New Owner Self Audit Program for O&G

Are there some links to the other self-audit programs that you described?

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 24, 2018 8:30 AM
To: Lee Fuller <lfuller@ipaa.org>
Subject: EPA New Owner Self Audit Program for O&G

<https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>

Here is the link. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Appointment

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/11/2018 12:26:05 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Tribal Consultation for O&G audit program
Location: 3118B

Start: 5/11/2018 1:30:00 PM
End: 5/11/2018 2:00:00 PM
Show Time As: Tentative

Call in number

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Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 5/10/2018 8:13:00 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

I will go ahead and start with the revision of pages.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

iphone

From: Porter, Amy
Sent: Thursday, May 10, 2018 3:47 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

This looks good to me, Phil. I'm ok with your proposed change to main page.

From: Milton, Philip
Sent: Thursday, May 10, 2018 2:54 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Here are three files that reflect placing the hi-level summary at the top of the eDisclosure, New Owner, and Audit Policy webpages

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Jonesi, Gary

Sent: Thursday, May 10, 2018 1:25 PM

To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>

Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece that accepts the OECA I/O's edits. Both are also revised to make all hyperlinks blue.

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi

Office of Civil Enforcement

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)

Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Appointment

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/10/2018 7:46:45 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program

Start: 5/23/2018 8:00:00 PM
End: 5/23/2018 9:00:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/24/2018 3:14:25 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: EPA New Owner Self Audit Program for O&G

Thanks, Apple

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 24, 2018 8:30 AM
To: Lee Fuller <lfuller@ipaa.org>
Subject: EPA New Owner Self Audit Program for O&G

<https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>

Here is the link. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/10/2018 7:42:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: EPA Self Audit Program

4:00 PM

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 10, 2018 3:42 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA Self Audit Program

9AM or 4PM?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Wednesday, May 09, 2018 4:57 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA Self Audit Program

How about some time on the 23rd?

Lee

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Wednesday, May 9, 2018 1:11 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA Self Audit Program

Lee,
I have availability the week of May 21. I am on travel most of next week.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Wednesday, May 09, 2018 10:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA Self Audit Program

Now, that the draft is released, is there a time when you are available to discuss it with me?

Thanks

Lee

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Wednesday, April 25, 2018 3:03 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA Self Audit Program

I know. We are planning to distribute a draft policy (styled as a bi-later agreement) at the IOGCC meeting in the beginning of May. I don't know if you will be at that meeting but either way, I will make sure you get a draft that you can distribute to your members and then we will come up with a plan for getting feedback. Does that sound ok to you?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Lee Fuller [<mailto:lfuller@ipaa.org>]
Sent: Wednesday, April 25, 2018 2:49 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Re: EPA Self Audit Program

Thanks, Apple. I only know what I've read in the news reports.

Sent from my iPhone

On Apr 25, 2018, at 2:41 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Thanks, Patrick.

Lee, I will follow up with you later this week to discuss getting IPAA input on the program we are developing.

Apple

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Wednesday, April 25, 2018 2:25 PM
To: Lee Fuller <lfuller@ipaa.org>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA Self Audit Program

Lee:

Thanks for reaching out to us on this; I think the input of trade associations will be an important part of our stakeholder engagement efforts. I've asked Apple Chapman to work with IPAA to discuss the program we are developing.

Warm regards,
Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Monday, April 23, 2018 3:30 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: EPA Self Audit Program

Patrick,

You had expressed an interest in meeting to discuss the EPA self audit program and I've seen several press reports on the effort. Do you still want to meet?

Thanks,

Lee Fuller

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 5/10/2018 6:54:03 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages
Attachments: EPA's Audit Policy Compliance US EPA v2.docx; EPA's eDisclosure Compliance US EPA v2.docx; EPA's Interim Approach to Applying the Audit Policy to New Owners Compliance US EPA v2.docx; Final Refresh Announcement for Self Disclosures 05-10-2018.docx

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Jonesi, Gary
Sent: Thursday, May 10, 2018 1:25 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece that accepts the OECA I/O's edits. Both are also revised to make all hyperlinks blue.

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jones
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 6/12/2018 9:02:58 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Lawrence, Rob [Lawrence.Rob@epa.gov]
CC: Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: Independent Petroleum Association of America Meeting

Thanks Apple!

Jim

Desk/Mobile: [Personal Phone / Ex. 6]

From: Chapman, Apple
Sent: Tuesday, June 12, 2018 9:39 AM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

Attached is the draft Q&A we developed. [Deliberative Process / Ex. 5]
[Deliberative Process / Ex. 5] Anne should be able to use it to address questions that may come up. Feel free to contact me if you need anything else.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Lawrence, Rob
Sent: Monday, June 11, 2018 3:56 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

Q/As would be very helpful.

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

From: Chapman, Apple
Sent: Monday, June 11, 2018 2:18 PM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

Rob
We have a Q&A that may addresses some of Lee's issues. It's with Patrick. I can check on the status of his review/approval.

I had a pretty long conversation with Lee recently (as he mentioned in the email) [Deliberative Process / Ex. 5]
[Deliberative Process / Ex. 5]
[Deliberative Process / Ex. 5]
also explained to him this is a HQ led effort which is why the information so far has come from the DAA. He

readily admitted that he had not seen any of the press on the proposed program, nor actually reviewed the information we posted on the web. He was just relaying some of the concerns/confusion he had been hearing from his members. **Deliberative Process / Ex. 5** After our conversation, he seemed quite comfortable with the approach (e.g., it's entirely voluntary and there are other existing policies in place that companies can also use) and believed it would be helpful for his members to also better understand the proposal. **Deliberative Process / Ex. 5**

rd
fr **Deliberative Process / Ex. 5**

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Lawrence, Rob
Sent: Monday, June 11, 2018 2:57 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

Yes – speech writer is working on her remarks this week.

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

From: Chapman, Apple
Sent: Monday, June 11, 2018 1:56 PM
To: Kenney, James <Kenney.James@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

I see it's the 25th - had not scrolled down.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Kenney, James
Sent: Monday, June 11, 2018 11:56 AM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Re: Independent Petroleum Association of America Meeting

Deliberative Process / Ex. 5

Apple/Marcia,
RA Idsal is speaking to Lee Fuller's group later this month. See below for more details. Could you give Rob some RA-level appropriate messages? **Deliberative Process / Ex. 5**

Thanks,
Jim

Sent from my iPhone

On Jun 11, 2018, at 9:51 AM, Lawrence, Rob <Lawrence.Rob@epa.gov> wrote:

Jim – as you have spoken with IPAA more often than I have, can you write up a couple of paragraphs on their issues with the Self-Audit proposal and the North Dakota storage topics?

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

From: Wang, Jonathan
Sent: Monday, June 11, 2018 10:21 AM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: FW: Independent Petroleum Association of America Meeting

Morning Rob,

I meant to mention this to you when you came by earlier but forgot.

Can you provide some background info regarding IPAA's concerns on the self-audit proposal? This program is news to me. Deliberative Process / Ex. 5

Personal Phone / Ex. 6 Also, can you provide context on what happened to this storage tank issue in North Dakota? I'll be drafting the RA's remarks this week.

Thanks!

Jonathan Wang
Public Affairs Specialist
US Environmental Protection Agency, Region 6
Office of External Affairs
214-665-2296

From: Lee Fuller [<mailto:lfuller@ipaa.org>]
Sent: Tuesday, June 05, 2018 11:09 AM
To: Wang, Jonathan <Wang.Jonathan@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

I'm relieved to know that we are still on track for June 25.

Regarding the background on the EPA self-audit proposal, I have tried to describe my perceptions below, but it might be useful to have a discussion on the issues with Rob Lawrence. In that regard, my contact number is

Personal Phone / Ex. 6

Summary of Self-Audit Proposal Perceptions

EPA has released a draft self-audit proposal for new owners of oil and natural gas extraction facilities. However, the dynamics behind the process

have been somewhat confusing and the understanding of the purpose seems to differ – potentially widely – between EPA and industry stakeholders. Last week, for example, EPA postponed the initial comment deadline and scheduled a public meeting in Washington on June 28. The comments here are based on perceptions from various discussions and are not intended to suggest a deep review.

The first aspect of the issue is the context of its development. For most in industry the history of EPA compliance assurance and enforcement over the years of the Obama Administration is perceived as an aggressive and abusive targeting of the industry using strong, threatened tactics. The enforcement issues in North Dakota regarding storage tanks created an atmosphere of intense distrust.

The rollout of the current EPA self-audit proposal evolved over several months, mostly in presentations over its broad themes. When the text began circulating, its focus on storage vessels immediately drew skeptical reactions from many industry stakeholders – perceiving it as another process to restage the controversial policy issues arising in the North Dakota enforcement experience.

Additionally, this proposal arises at a time when EPA also initiated its Oil and Natural Gas Roundtable where much of the focus related to compliance assurance and enforcement. Within that effort an ongoing point of discussion involves the relationship between EPA and states, particularly when the state has delegated authority. Correspondingly, the relationship between EPA and states in the self-audit proposal becomes an area that needs to be clarified.

In conversations with Apple Chapman, she emphasized a number of points that I don't believe are understood – or not well understood – by most industry reviewers. First, the self-audit proposal is voluntary and no one must use it. Second, EPA plans to work with states if they have self-audit programs and if the company wants to utilize both. Third, there are other self-audit programs that deal with existing owners and with new owners on operations other than storage vessels. This framework is not well understood by the industry stakeholders.

Consequently, in conversations with industry stakeholders who have analyzed the new self-audit proposal, many times they are raising issues that are related to a poor understanding of the larger context surrounding this specific proposal.

Lee Fuller

From: Wang, Jonathan <Wang.Jonathan@epa.gov>
Sent: Tuesday, June 5, 2018 7:40 AM
To: Lee Fuller <lfuller@ipaa.org>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

Good morning Lee,

I am so sorry, I am the one that is confused! I was working on some other stuff and mixed up events.

Yes, we're set for the IPAA Meeting on June 25, RA Idsal is scheduled to speak from 10:30 – 11:15 AM at the Hyatt Regency Lost Pines Resort and Spa.

If you could, go ahead and send any background info you feel is useful to me, such as industry's concerns on EPA's self-audit for new owners of oil and natural gas production facilities. Please loop in Rob Lawrence as well, he's Region 6's oil and gas advisor, and I've cc'd him on this email.

Thanks again for reaching out to us and let me know if you have any other questions.

Jonathan Wang
Public Affairs Specialist
US Environmental Protection Agency, Region 6
Office of External Affairs
214-665-2296

From: Lee Fuller [<mailto:lfuller@ipaa.org>]
Sent: Monday, June 04, 2018 3:05 PM
To: Wang, Jonathan <Wang.Jonathan@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

I may be confused but the IPAA meeting is June 25 in Austin, TX.

From: Wang, Jonathan <Wang.Jonathan@epa.gov>
Sent: Monday, June 4, 2018 4:03 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: Independent Petroleum Association of America Meeting

Good afternoon Lee,

Hope you're doing well and thanks for the email.

Timing-wise on our end, the RA doesn't land until 10:50 AM in Albuquerque, so I don't think 10:30 AM will work.

I'm meeting with some folks later this week to go over travel plans. I should have more info on what times would work on July 10th by then. I'll let you know then.

Here's a link to Anne's bio on our web: <https://www.epa.gov/aboutepa/regional-administrator-epas-south-central-region-region-6>

Thanks for the heads-up about the self-audit issue. A pre-brief would be great. Again, let me meet with some folks later this week and I'll get back to you on particulars of the day.

Thanks again and we'll be in touch!

Jonathan Wang
Public Affairs Specialist
US Environmental Protection Agency, Region 6
Office of External Affairs
214-665-2296

From: Lee Fuller [<mailto:lfuller@ipaa.org>]
Sent: Monday, June 04, 2018 2:56 PM
To: Wang, Jonathan <Wang.Jonathan@epa.gov>
Subject: RE: Independent Petroleum Association of America Meeting

I don't know if I precisely responded to you on the timing, but we have Administrator Idsal scheduled for 10:30.

On a couple of other matters, I will be introducing her and any material you can provide me for her introduction would be appreciated.

Additionally, one of the active EPA issues that will continue to be in play when the meeting occurs is the EPA proposed self-audit for new owners of oil and natural gas production facilities. While EPA announced last week that it would be extending the deadline for comments and holding a public meeting on the proposal in Washington on June 28, I would expect that this issue could draw questions during the meeting. There is considerable confusion surrounding the proposal and current practices. I would be happy to brief the Administrator or whomever you designate on the industry's questions about the proposal in order to better prepare her for possible questions.

Thanks,

Lee Fuller

From: Wang, Jonathan <Wang.Jonathan@epa.gov>
Sent: Tuesday, May 15, 2018 1:41 PM
To: Lee Fuller <lfuller@ipaa.org>
Cc: Gray, David <gray.david@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: Independent Petroleum Association of America Meeting

Good afternoon Mr. Fuller,

I hope you're having a great day so far.

First, thank you for inviting EPA Region 6 Administrator Anne Idsal to speak at IPAA's Meeting on June 25 at the Lost Pines Resort, and thank you for your patience as we plan her schedule.

Good news though, Anne can make it on the 25th. Your invite mentioned slotting her in between 9 AM – Noon. Can we aim to have her speak around 10:00 AM or 10:30 AM?

I've got some of the logistical info from your website at <http://www.ipaa.org/events/midyear-meeting-2018/>. We'd greatly appreciate any other helpful pieces of info to prepare her for the Meeting.

Let me know what you think when you get a chance.

Thanks again,

Jonathan Wang
Public Affairs Specialist
US Environmental Protection Agency, Region 6
Office of External Affairs
214-665-2296

Message

From: Jonesi, Gary [Jonesi.Gary@epa.gov]
Sent: 5/10/2018 5:13:03 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
Subject: RE: Audit Refresh - proposed revisions

Good catch

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

From: Chapman, Apple
Sent: Thursday, May 10, 2018 1:12 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: Re: Audit Refresh - proposed revisions

Deliberative Process / Ex. 5 Thanks.

Sent from my iPhone

On May 10, 2018, at 1:10 PM, Jonesi, Gary <Jonesi.Gary@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

--Gary

<image001.jpg>

<image002.png>

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 8 (cell)

jonesi.gary@epa.gov

From: Porter, Amy

Sent: Thursday, May 10, 2018 1:02 PM

To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>

Subject: FW: Audit Refresh - proposed revisions

I think this is fine but want to make sure you all are Ok with this before I respond to the IO. Please let me know.

Thanks

From: Traylor, Patrick

Sent: Thursday, May 10, 2018 12:58 PM

To: Porter, Amy <Porter.Amy@epa.gov>

Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>

Subject: RE: Audit Refresh - proposed revisions

Amy:

Thanks for the revised document. Susan, Larry, and I have reviewed it and have only minor revisions to propose in the attached, along with highlighted conforming changes to the web summary below. Please work with John Senn to get the update posted to EPA's web site.

Thanks,
Patrick

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6 (cell)

From: Porter, Amy

Sent: Monday, May 7, 2018 6:04 PM

To: Bodine, Susan <bodine.susan@epa.gov>

Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>

Subject: Audit Refresh - proposed revisions

Susan –

Please find attached a revised Audit Policy “Refresh” piece

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

See also below a very short summary paragraph to be posted at the top of our [Audit Policy](#) and [New Owner](#) and [eDisclosure](#) public web pages.

Deliberative Process / Ex. 5

Please let me know if you would like to discuss.

Thank you,
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

<Refresh Announcement for Disclosures 5-7-18 (LS-PT redlines 5-10-2018).docx>

Message

From: Jonesi, Gary [Jonesi.Gary@epa.gov]
Sent: 5/10/2018 5:10:39 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Audit Refresh - proposed revisions
Attachments: Refresh Announcement for Disclosures 5-7-18 (LS-PT redlines 5-10-2018).docx

Deliberative Process / Ex. 5

--Gary



Be kind to the environment.
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Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

From: Porter, Amy
Sent: Thursday, May 10, 2018 1:02 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: Audit Refresh - proposed revisions

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Thanks

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Sent: Thursday, May 10, 2018 12:58 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Audit Refresh - proposed revisions

Amy:

Thanks for the revised document. Susan, Larry, and I have reviewed it and have only minor revisions to propose in the attached, along with highlighted conforming changes to the web summary below. Please work with John Senn to get the update posted to EPA's web site.

Thanks,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Porter, Amy
Sent: Monday, May 7, 2018 6:04 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Traylor, Patrick <traylor.patrick@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Audit Refresh - proposed revisions

Susan –

Please find attached a revised Audit Policy “Refresh” piece

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please let me know if you would like to discuss.

Thank you,
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Jonesi, Gary [Jonesi.Gary@epa.gov]
Sent: 6/12/2018 6:47:31 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
Subject: RE: Wyoming Audit MOA w/comments and edits
Attachments: Wyoming Audit MOA - 2018-06-11 spb_plm_GJ comments.docx

See my attached comments.

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

From: Porter, Amy
Sent: Tuesday, June 12, 2018 2:45 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Theis, Joseph <Theis.Joseph@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Wyoming Audit MOA w/comments and edits

Apple – We are consolidating comments and will include yours in what we send to Rosemarie and Joe later today.

Thank you
Amy

From: Chapman, Apple
Sent: Tuesday, June 12, 2018 2:40 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Wyoming Audit MOA w/comments and edits

Attorney-Client / Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 mobile |

From: Bodine, Susan

Sent: Tuesday, June 12, 2018 10:59 AM

To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>

Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>

Subject: RE: Wyoming Audit MOA w/comments and edits

Deliberative Process / Ex. 5

So the attached is not redlined. But only 3 pages.

Deliberative Process / Ex. 5

Would like to get comments by COB so I can send to Doug first thing tomorrow.

From: Kelley, Rosemarie

Sent: Monday, June 4, 2018 6:47 PM

To: Bodine, Susan <bodine.susan@epa.gov>

Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>

Subject: Wyoming Audit MOA w/comments and edits

Susan –

Attached you will find a markup of the WY MOA that reflects our discussion with you on 5/25. Please let us know if you have questions or would like to discuss.

Rosemarie

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/10/2018 5:00:38 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: Audit Refresh - proposed revisions
Attachments: Refresh Announcement for Disclosures 5-7-18 (LS-PT redlines 5-10-2018).docx

Any concerns?

From: Traylor, Patrick
Sent: Thursday, May 10, 2018 12:58 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Audit Refresh - proposed revisions

Amy:

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Thanks,
Patrick

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From: Porter, Amy
Sent: Monday, May 7, 2018 6:04 PM
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Subject: Audit Refresh - proposed revisions

Susan –

Please find attached a revised Audit Policy “Refresh” piece Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please let me know if you would like to discuss.

Thank you,
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: OGCLibrary [Personal Phone / Ex. 6]
Sent: 5/10/2018 3:55:05 PM
To: Adair, Jocelyn [Adair.Jocelyn@epa.gov]; Allnutt, David [Allnutt.David@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]; Anderson, Steve [Anderson.Steve@epa.gov]; Aranda, Amber [aranda.amber@epa.gov]; Averback, Jonathan [Averback.Jonathan@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov]; Blake, Wendy [Blake.Wendy@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Charlton, Tom [Charlton.Tom@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]; Cozad, David [Cozad.David@epa.gov]; Crum, Lynda [Crum.Lynda@epa.gov]; Davis, Julian [davis.julian@epa.gov]; Dickinson, David [Dickinson.David@epa.gov]; Dierker, Carl [Dierker.Carl@epa.gov]; Dubey, Susmita [dubey.susmita@epa.gov]; Dubois, Roland [Dubois.Roland@epa.gov]; Dugan, Brett [Dugan.Brett@epa.gov]; Frey, Bert [frey.bertram@epa.gov]; Froikin, Sara [Froikin.Sara@epa.gov]; Graham, Cheryl [Graham.Cheryl@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Harrison, Ben [Harrison.Ben@epa.gov]; Hindin, David [Hindin.David@epa.gov]; Hoffman, Howard [hoffman.howard@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Holmes, Carol [Holmes.Carol@epa.gov]; Iddings, Brianna [Iddings.Brianna@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Jordan, Scott [Jordan.Scott@epa.gov]; Kane, Eleanor [kane.eleanor@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Klepp, Robert [Klepp.Robert@epa.gov]; Knapp, Kristien [Knapp.Kristien@epa.gov]; Kodish, Jeff [Kodish.Jeff@epa.gov]; Krallman, John [krallman.john@epa.gov]; Kryman, Matthew [Kryman.Matthew@epa.gov]; Kulschinsky, Edward [Kulschinsky.Edward@epa.gov]; Lee, Michael [lee.michaelg@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Lovett, Lauren [Lovett.Lauren@epa.gov]; Manners, Mary [manners.mary@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Matthews, Julie [Matthews.Juliane@epa.gov]; McConkey, Diane [Mcconkey.Diane@epa.gov]; Michaels, Lauren [Michaels.Lauren@epa.gov]; Morgan, Jeanette [Morgan.Jeanette@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Nelson, Karen [nelson.karen@epa.gov]; Ng, Brian [Ng.Brian@epa.gov]; Nguyen, Duch [Nguyen.Duch@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]; Odendahl, Steve [Odendahl.Steve@epa.gov]; OGC NFO FEAT [Personal Email / Ex. 6]; Okoye, Winifred [Okoye.Winifred@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Palmer, Karen [Palmer.Karen@epa.gov]; Pastorkovich, Anne-Marie [Pastorkovich.Anne-Marie@epa.gov]; Pilchen, Zach [Pilchen.Zach@epa.gov]; Portmess, Jessica [Portmess.Jessica@epa.gov]; Rodman, Sonja [Rodman.Sonja@epa.gov]; Rowland, John [Rowland.John@epa.gov]; Schaaf, Eric [Schaaf.Eric@epa.gov]; Schmidt, Lorie [Schmidt.Lorie@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Seidman, Emily [seidman.emily@epa.gov]; Senn, John [Senn.John@epa.gov]; Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]; Skinner-Thompson, Jonathan [Skinner-Thompson.Jonathan@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Snyder, Doug [Snyder.Doug@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stern, Allyn [Stern.Allyn@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Thrift, Mike [thrift.mike@epa.gov]; Tierney, Jan [tierney.jan@epa.gov]; Ting, Kaytrue [Ting.Kaytrue@epa.gov]; Tozzi, Lauren [Tozzi.Lauren@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Vergeront, Julie [Vergeront.Julie@epa.gov]; Versace, Paul [Versace.Paul@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]; Wilcox, Geoffrey [wilcox.geoffrey@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Zenick, Elliott [Zenick.Elliott@epa.gov]
Subject: Air & Radiation Law News for May 10, 2018



Air & Radiation Law News for May 10, 2018

**Bloomberg
Environment**

Environment & Energy

Massachusetts Rules to Curb Emissions Are Illegal, Power Plants Say

By Adrienne Appel

Massachusetts requirements to drive down greenhouse-gas emissions by power plants are illegal and need to be voided, companies argued in a state court May 8.

Industry Input Requested to Fuel Small-Scale Coal-Fired Plants

By Rebecca Kern (Bloomberg Environment) and Ari Natter (Bloomberg)

The Energy Department is seeking input on “technical and market considerations” for development of small-scale modular coal-fired power plants, with the goal of building a pilot plant by 2025.

DuPont Off the Hook for \$7M Jury Award in Benzene Suit

By Peter Hayes

DuPont is off the hook for a \$7 million jury award in a painter's benzene exposure case.

Canada Pension Makes Biggest Clean Energy Bet with Enbridge Deal

By Scott Deveau

Canada Pension Plan Investment Board's decision to take a stake in a portfolio of clean-energy assets owned by Enbridge Inc. marks the largest deal yet for the pension fund's recently formed Power and Renewables division.

Dominion's 100% Renewable Energy Rate Shot Down in Virginia

By Jim Efstathiou Jr. and Lynn Doan

A Dominion Energy Inc. plan to offer customers a 100 percent renewable energy rate was shot down by state regulators who said it would've given the U.S. utility giant too much discretion in setting prices.

Smarter Wind Turbines Try to Squeeze More Power on Each Rotation

By Jim Efstathiou Jr. and Brian K. Sullivan

Makers of giant wind turbines are hoping that machine-learning techniques can get some of the industry's mojo back.

Climate Talks Bog Down in Divisions on Finance and Emissions

By Mathew Carr

Work has stalled at a United Nations conference on climate change, where envoys from almost 200 countries are working on a rulebook to implement the landmark Paris Agreement.

One Thing Trump, Some Environmentalists Both Love: Nuclear Power

By Jim Efstathiou Jr.

There's a sliver of common ground emerging in the fraught relationship between President Donald Trump and environmentalists: nuclear power.

PSEG, Arizona Public Service Urge States to Support Nuclear Power

By Bobby Magill

Public Service Enterprise Group Inc. Co. and Arizona Public Service Co. are calling on New Jersey, Arizona, and other states to follow through with proposals to support nuclear power plants threatened with possible closure.

Asbestos Controls, Testing Flame Retardants Among New EPA Rules

By Pat Rizzuto

The EPA would ban some uses of asbestos and require manufacturers to generate new toxicity or other data for some flame-retardant chemicals under updated regulatory plans the agency released May 9.

EPA Plan to Update Air Pollution Permitting Expected in September

By Amena H. Saiyid

The EPA's plan to smooth out air pollution permitting for upgrades and expansions at factories and power plants is expected in September.

EPA Eyes June to Roll Out Revisions to Power Plant Climate Rules

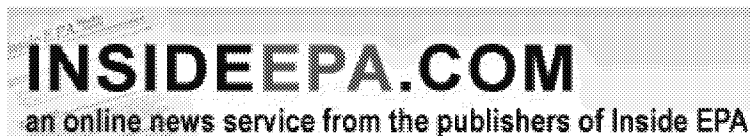
By Abby Smith

The EPA has big plans for June: It intends to release its replacement of the Obama administration's greenhouse gas limits for existing power plants, as well as its companion standards for new plants.

California Votes to Require Rooftop Solar Power on New Homes (1)

By Mark Chediak and Prashant Gopal

California became the first U.S. state to require solar panels on almost all new homes, sending the clearest signal yet that rooftop power is moving beyond a niche market and becoming the norm.



Trump's NAAQS Overhaul Prompts Questions On Scope Of CASAC's Input

President Donald Trump's directive for EPA to overhaul and streamline the national ambient air quality standards (NAAQS) review process is prompting questions over how it might affect the Clean Air Scientific Advisory Committee's (CASAC) input on NAAQS, including new consideration of costs and possibly undermining some air science.

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

Wehrum Aids Industry By Raising Bar For 'Aggregation' In NSR Air Permits

EPA air chief William Wehrum is aiding industry groups in their bid to avoid strict Clean Air Act new source review (NSR) permits by raising the bar for when emissions sources must be "aggregated," or combined, and counted as a single source -- one of several policy steps the Trump administration is taking to ease the NSR program.

California Moves To Ensure Compliance With Current Vehicle GHG Rules

As EPA prepares to weaken its passenger vehicle greenhouse gas standards through model year 2025, the California Air Resources Board (CARB) is floating an amendment to the state's nearly identical rule that automakers would only be "deemed to comply" with state standards if their vehicles meet current national limits, not any weaker federal standard.

ENERGY POLICY

Committee passes resource diplomacy bill

Cecelia Smith-Schoenwalder, E&E News reporter

Published: Wednesday, May 9, 2018



The House Foreign Affairs Committee today cleared legislation to authorize a new assistant secretary at the State Department who would be dedicated to energy security and diplomacy. House Foreign Affairs Committee

The House Foreign Affairs Committee this morning put its support behind a bipartisan bill that would create a new assistant secretary dedicated to energy security and diplomacy at the State Department.

Rep. Michael McCaul (R-Texas) said his [H.R. 5535](#), the "Energy Diplomacy Act," would help alleviate U.S. allies' reliance on natural gas from "unpredictable regimes" like Russia.

"This will empower the State Department to promote and advance a bold energy diplomacy abroad," McCaul said.

The assistant secretary would be responsible for encouraging the development of energy resources to benefit the U.S. and its allies, and ensuring a well-functioning global energy market.

"Congress must ensure that the State Department is able to protect and promote our energy policies abroad," said the bill's co-sponsor, Rep. Eliot Engel (D-N.Y.).

McCaul said the bill would also ensure the State Department has enough staff dedicated to energy matters.

The bill passed by voice vote and included an amendment from Rep. Adam Kinzinger (R-Ill.) that would ensure that personnel working on energy diplomacy within State coordinate their efforts with the Energy Department.

"This addition will help integrate our domestic and foreign policies relating to energy resources, energy technologies and nuclear nonproliferation," Kinzinger said.

Rep. Dina Titus (D-Nev.) said she hopes the assistant secretary will consider the impacts of climate change in his or her future role.

"As I look at the specific responsibilities laid out for this office ... I see several that stand out where this consideration would be very important," Titus said.

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AN E&E NEWS PUBLICATION

CLIMATEWIRE — Thu., May 10, 2018

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Emails reveal behind-the-scenes plans for climate debate

Emails released this week, obtained by the Natural Resources Defense Council under a Freedom of Information Act request, offer a glimpse inside EPA's planning for a "red-team, blue-team" climate debate, which Administrator Scott Pruitt still hasn't launched.

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Climatewire is written and produced by the staff of E&E News. It is designed to provide comprehensive, daily coverage of all aspects of climate change issues. From international agreements on carbon emissions to alternative energy technologies to state and federal GHG programs, Climatewire plugs readers into the information they need to stay abreast of this sprawling, complex issue.

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AN E&E NEWS PUBLICATION

ENERGYWIRE — Thu., May 10, 2018



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At NRG HQ, a green building that wants to make a statement

WEST WINDSOR, N.J. — The West Windsor, N.J., headquarters of NRG Energy Inc. is essentially a microgrid that bolsters resilience and is used to pitch new energy ideas to other big businesses.

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4. CYBERSECURITY:

U.S. sanctions galvanize Iranian hackers, experts warn

OIL AND GAS

5. TEXAS:

Eagle Ford, after a boom and bust, makes a comeback

6. PIPELINES:

Greens target Mountain Valley forest route, state permits

7. PEOPLE:

Texas official finalist to lead IOGCC energy compact

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Former Anadarko employees add voice to Firestone suit

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Iran's oil buyers in a bind after Trump's move

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Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

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3334C WJC West

US EPA Headquarters, Washington, D.C.

Desk: 202-566-1432

McCune.Jennifer@epa.gov

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Personal Email / Ex. 6

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 6/19/2018 10:57:33 AM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Oil and Gas New Program Q&As
Attachments: New Owner Audit Roll Out Plan.AC+TJS+PLM.docx

Good Morning Apple ---

I had provided a suggestion for the rollout plan that highlighted past efforts..

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Chapman, Apple
Sent: Monday, June 18, 2018 2:02 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Oil and Gas New Program Q&As

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you

have suggested bullets on this let me know, if not I will put something together for Patrick's review.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile) |

From: Milton, Philip
Sent: Friday, June 15, 2018 7:09 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: Oil and Gas New Program Q&As

Draft – Agency Deliberative Process – Please do not release

Amy –

Thank you for the opportunity to review the document.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Porter, Amy
Sent: Thursday, June 14, 2018 4:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: Oil and Gas New Program Q&As

Thanks Apple. I would like Phil to review **Personal Matters / Ex. 6** I can ask him to review early tomorrow if he is in.

From: Chapman, Apple
Sent: Thursday, June 14, 2018 3:57 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel

<Hoyt.Daniel@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Subject: Oil and Gas New Program Q&As

Amy,

Patrick and Susan have approved the attached Q&As for posting on the web. I would like to have Munsel post tomorrow, if possible. Your staff reviewed an earlier version of the Q&As [Redacted] **Deliberative Process / Ex. 5**

[Redacted] **Deliberative Process / Ex. 5** and we made changes in response to those comments. Please let me know if the document contains any errors [Redacted] **Deliberative Process / Ex. 5**

[Redacted] **Deliberative Process / Ex. 5**

Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Redacted] **Personal Phone / Ex. 6** [Redacted] (mobile) |

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/22/2018 5:32:25 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Green, Noelle [Green.Noelle@epa.gov]; Parikh, Pooja [Parikh.Pooja@epa.gov]
Subject: Re: draft email for your review

Adding Pooja as well.

Thx,
Jim

Sent from my iPhone

On May 22, 2018, at 10:59 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Noelle,

Jim Kenney recommended I run this email by you before our DAA sends it. We expect him to send it out to various stakeholders by COB tomorrow.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5 The meetings I am having are somewhat a follow up to the roundtable discussions

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Thanks.

Patrick

Here is a draft email for your consideration. We are still putting together the list of contacts. I

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/22/2018 5:10:44 PM
To: OKeefe, Susan [OKeefe.Susan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; williams.chistopher@epa.gov
CC: Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Pueblo Information - DOI

Thanks Susan,

Deliberative Process / Ex. 5

From: OKeefe, Susan
Sent: Tuesday, May 22, 2018 1:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; williams.chistopher@epa.gov
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Re: Pueblo Information - DOI

I'm re-sending so that this also goes to Tom and Chris.

Sent from my iPhone

On May 22, 2018, at 12:41 PM, OKeefe, Susan <OKeefe.Susan@epa.gov> wrote:

Deliberative Process / Ex. 5

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 22, 2018 at 12:02:12 PM EDT
To: "Lawrence, Rob" <Lawrence.Rob@epa.gov>
Cc: "Kenney, James" <Kenney.James@epa.gov>, "Chapman, Apple" <Chapman.Apple@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: Pueblo Information - DOI

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

<image00001.png> Tribal Engagement List.xlsx

Thanks for talking with me about your efforts to engage stakeholders on the draft new owner audit program agreement, including tribes.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Please let me know if you have any questions.

Jonathan

Jonathan Binder
Attorney Advisor
Senior Indian Program Manager
Office of Environmental and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-2516
binder.jonathan@epa.gov

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/22/2018 5:08:02 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; williams.christopher@epa.gov
CC: Binder, Jonathan [Binder.Jonathan@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: Re: Pueblo Information - DOI

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Sent from my iPhone

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Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 22, 2018 at 12:02:12 PM EDT
To: "Lawrence, Rob" <Lawrence.Rob@epa.gov>
Cc: "Kenney, James" <Kenney.James@epa.gov>, "Chapman, Apple" <Chapman.Apple@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: Pueblo Information - DOI

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

<image00001.png> Tribal Engagement List.xlsx

<!--[endif]-->

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Attorney-Client / Deliberative Process / Ex. 5

Please let me know if you have any questions.

Jonathan


Jonathan Binder
Attorney Advisor
Senior Indian Program Manager
Office of Environmental and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-2516
binder.jonathan@epa.gov

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/22/2018 4:02:12 PM
To: Lawrence, Rob [Lawrence.Rob@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: Pueblo Information - DOI

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

 Tribal Engagement List.xlsx

<!--[endif]-->

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Attorney-Client / Deliberative Process / Ex. 5

Please let me know if you have any questions.

Jonathan

Jonathan Binder
Attorney Advisor
Senior Indian Program Manager
Office of Environmental and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-2516
binder.jonathan@epa.gov

Message

From: Binder, Jonathan [Personal Email / Ex. 6]
Sent: 5/22/2018 3:32:52 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]
CC: Binder, Jonathan [Binder.Jonathan@epa.gov]
Subject: Binder, Jonathan has shared 'Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agrmt 5.22. 18'

Updated version of draft letter to 11 tribes re New Owner Audit. I've accepted comments/edits. I've also responded to two. Thanks

Open Draft Letter to 11 Tribes Re Draft New Owner Audit
Program Agrmt 5.22. 18.docx

See more related to Binder, Jonathan in Delve.



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Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 6/1/2018 2:16:10 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: More recent Q&A document.

Tim --

Didn't realize there is an updated version from what Apple sent yesterday afternoon... I will transfer my comments to this version... I was unable to use the weblink...

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 8:49 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.
Importance: High

Deliberative Process / Ex. 5

Finally, I will be out of pocket tomorrow morning for an appointment and then in a meeting through about 1 pm eastern. I probably will not be on email until about noon eastern. My cell is Personal Phone / Ex. 6 if you need me before that.

Thanks --

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)

Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Thursday, May 31, 2018 1:32 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Li, Angelica <li.angelica@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: More recent Q&A document.

Here are my comments on top of Jim's.

Phil, please let us know if you have any comments.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I am adding **Angelica Li** to this message. She is a summer law clerk that will be working with us on this project so please try to remember to include her on all future correspondence.

I will send these Q&As to Patrick for his review tomorrow

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any additional names of folks that you think should be included on the initial email from Patrick, please pass them along before tomorrow.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 1:57 PM
To: Kenney, James <Kenney.James@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.

Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Kenney, James
Sent: Thursday, May 31, 2018 11:19 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: More recent Q&A document.

Hi Tim –
Some thoughts included in the attached for your consideration.
Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Sullivan, Tim
Sent: Wednesday, May 30, 2018 1:53 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

comment as you see fit. Please review and

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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<http://www.epa.gov/compliance/complaints/index.html>

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From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Here are the set of Qs and As we developed in preparation for the launch of the Interim Approach.

I would be happy to review any that you develop for the New Owner CAA Audit Program.

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement
Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: OKeefe, Susan

Sent: Thursday, May 24, 2018 2:01 PM

To: Milton, Philip <Milton.Philip@epa.gov>

Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>

Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

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From: "Chapman, Apple" <Chapman.Apple@epa.gov>

Date: May 23, 2018 at 3:35:53 PM EDT

To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>

Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher"

<Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder,

Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>,

"Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>

Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman [Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6
(mobile)]

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Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks. This would be helpful.

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S.
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) | Personal Phone / Ex. 6 (mobile) |

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Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher
<Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>;
Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James
<Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I Personal Matters / Ex. 6 won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

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Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

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Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Email / Ex. 6 (mobile) |

<Questions and Answers on Second FR July 31.doc>

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 6/1/2018 1:47:25 PM
To: Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, James [Sullivan.James@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: More recent Q&A document.

Thank you – I would like to be cc'd on these messages going forward please.

Thanks!
Amy

From: Milton, Philip
Sent: Friday, June 01, 2018 9:04 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: FW: More recent Q&A document.

Good Morning Apple –

I am working on comments and hope to have them to you shortly.

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Thursday, May 31, 2018 3:32 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Li, Angelica <li.angelica@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: More recent Q&A document.

Here are my comments on top of Jim's.

Phil, please let us know if you have any comments. As you will see, Tim modeled this on the Q&A that was developed by your shop but adapted it for our purposes.

I am adding **Angelica Li** to this message. She is a summer law clerk that will be working with us on this project so please try to remember to include her on all future correspondence.

I will send these Q&As to Patrick for his review tomorrow.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any additional names of folks that you think should be included on the initial email from Patrick, please pass them along before tomorrow.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

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Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.

Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Subject: RE: More recent Q&A document.

Hi Tim –
Some thoughts included in the attached for your consideration.
Thanks,
Jim
Desk/Mobile: [Personal Phone / Ex. 6]

From: Sullivan, Tim
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To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please review and

comment as you see fit.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

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Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

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Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

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Dear AED

Deliberative Process / Ex. 5

I would be happy to review any that you develop for the New Owner CAA Audit Program.

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

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Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

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Many thanks, Phil!!

Susan

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Subject: RE: Letter to Tribal Leaders

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Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6
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Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

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Thanks. This would be helpful.

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Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Subject: Letter to Tribal Leaders

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement
Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-
564-5666 (office) | Personal Phone / Ex. 6 | mobile)

<Questions and Answers on Second FR July 31.doc>

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Subject: FW: More recent Q&A document.
Attachments: OG New Owner Program - QsAs - Draft_05.30.2018 (JCK) (AC).docx

Good Morning Apple --

I am working on comments and hope to have them to you shortly.

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
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Deliberative Process / Ex. 5

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Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
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1595 Wynkoop Street (MC 8MSU)
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Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Deliberative Process / Ex. 5	
Deliberative Process / Ex. 5	Please review and comment as you see fit.

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Timothy J. Sullivan
Air Enforcement Division
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Subject: More recent Q&A document.

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Agency Deliberative Process – Please do not release

Apple

Please note I found a slightly updated version of the Qs and As.

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

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Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Chapman, Apple" <Chapman.Apple@epa.gov>
Date: May 23, 2018 at 3:35:53 PM EDT
To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6
(mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks. This would be helpful.

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included? **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

She can follow up with an email (or I can) that includes the date and the logistics. This way the letter won't be delayed while I am working on the logistical issues.

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S.
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) | **Personal Phone / Ex. 6** | (mobile) |

From: OKeefe, Susan

Sent: Wednesday, May 23, 2018 1:05 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>

Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I **Personal Matters / Ex. 6** won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

<Questions and Answers on Second FR July 31.doc>

Message


From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/1/2018 12:13:59 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: OKeefe, Susan [OKeefe.Susan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Lawrence, Rob [Lawrence.Rob@epa.gov]
Subject: FW: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Importance: High

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared OneDrive for Business files with you. To view them, click the links below.

 Tribal Engagement List.xlsx

 R6 Pueblos List 5-10-18.docx

<!--[endif]-->

Apple,

Deliberative Process / Ex. 5

To make it a bit easier, I've attached the tribal lists to this email. It's been one of those mornings. I hope my day gets better....

From: Binder, Jonathan
Sent: Friday, June 1, 2018 7:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas
Importance: High

Apple,

Thanks again for moving this forward and keeping us in the loop.

Deliberative Process / Ex. 5

I've now updated the spreadsheet with the Regional, OAR, and OITA/AIEO information. **Deliberative Process / Ex. 5**

From: Chapman, Apple
Sent: Thursday, May 31, 2018 3:09 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Deliberative Process / Ex. 5 I will be sending the final letter to Rosemarie tomorrow. I expect that her secretary will merge the letter with the addresses and get the letter out tomorrow or Monday.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile) |

From: Binder, Jonathan

Sent: Thursday, May 31, 2018 2:44 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Please let me know your thoughts. Jonathan

From: Gee, Randy

Sent: Wednesday, May 30, 2018 2:34 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>

Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>

Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan

Sent: Wednesday, May 30, 2018 1:05 PM

To: Gee, Randy <Gee.Randy@epa.gov>

Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Tribal contacts

Thanks Randy,

Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico -- New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
---	--	----------------------------------	--	--	--

From: Gee, Randy

Sent: Tuesday, May 22, 2018 1:54 PM

To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: RE: Tribal contacts



William Lynn

Minerals Director – Osage Minerals Council

813 Grandview Avenue, Pawhuska, OK 74056

Office: Personal Phone / Ex. 6 | FAX: 918.287-5693

william.lynn@osagenation-nsn.gov

Email | Website

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob

Sent: Tuesday, May 22, 2018 11:02 AM

To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence

Region 6

Policy Advisor - Energy Issues

214.665.6580


Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 6/1/2018 12:49:13 AM
To: Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: More recent Q&A document.

Importance: High

<!--[if lte mso 15 || CheckWebRef]-->

Sullivan, Tim has shared a OneDrive for Business file with you. To view it, click the link below.

 OG New Owner Program - QsAs - Rev Draft_05.31.2018.docx

<!--[endif]-->

Deliberative Process / Ex. 5

Finally, I will be out of pocket tomorrow morning for an appointment and then in a meeting through about 1 pm eastern. I probably will not be on email until about noon eastern. My cell is Personal Phone / Ex. 6 if you need me before that.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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From: Chapman, Apple
Sent: Thursday, May 31, 2018 1:32 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Li, Angelica <li.angelica@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: More recent Q&A document.

Here are my comments on top of Jim's.

Phil, please let us know if you have any comments. As you will see, Tim modeled this on the Q&A that was developed by your shop but adapted it for our purposes.

I am adding **Angelica Li** to this message. She is a summer law clerk that will be working with us on this project so please try to remember to include her on all future correspondence.

I will send these Q&As to Patrick for his review tomorrow. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any additional names of folks that you think should be included on the initial email from Patrick, please pass them along before tomorrow.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | 202-841-6076 (mobile) |

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 1:57 PM
To: Kenney, James <Kenney.James@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.

Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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<http://www.epa.gov/compliance/complaints/index.html>

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From: Kenney, James
Sent: Thursday, May 31, 2018 11:19 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: More recent Q&A document.

Hi Tim –
Some thoughts included in the attached for your consideration.
Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Sullivan, Tim
Sent: Wednesday, May 30, 2018 1:53 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5	
Deliberative Process / Ex. 5	Please review and comment as you see fit.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement

Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: OKeefe, Susan

Sent: Thursday, May 24, 2018 2:01 PM

To: Milton, Philip <Milton.Philip@epa.gov>

Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>

Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Chapman, Apple" <Chapman.Apple@epa.gov>

Date: May 23, 2018 at 3:35:53 PM EDT

To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>

Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher"

<Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder,

Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>,

"Milton, Philip" <Milton.Philip@epa.gov>, "Jones, Gary" <Jones.Gary@epa.gov>

Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) |

(mobile) |

Personal Phone / Ex. 6

From: OKeefe, Susan

Sent: Wednesday, May 23, 2018 3:15 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher

<Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder,
Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>;
Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow.
Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will
be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks. This would be helpful.

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included? **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) **Personal Phone / Ex. 6** (mobile) |

From: OKeefe, Susan

Sent: Wednesday, May 23, 2018 1:05 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James

<Kenney.James@epa.gov>

Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I **Personal Matters / Ex. 6** won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan

<OKeefe.Susan@epa.gov>; Binder, Jonathan

<Binder.Jonathan@epa.gov>

Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5	Deliberative Process / Ex. 5
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Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile)

<Questions and Answers on Second FR July 31.doc>

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/31/2018 10:39:17 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Thanks!

Jim

--

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Thursday, May 31, 2018 3:36 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Re: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

I'm finalizing the list tomorrow. I'll send it to you before sending to Patrick.

Sent from my iPhone

On May 31, 2018, at 4:55 PM, Kenney, James <Kenney.James@epa.gov> wrote:

Hi Apple,
Can you send me the draft final list of stakeholders who receive an email or letter? Is that possible?
Thanks,
Jim

Sent from my iPhone

On May 31, 2018, at 1:08 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Deliberative Process / Ex. 5 I will be sending the final letter to Rosemarie tomorrow. I expect that her secretary will merge the letter with the addresses and get the letter out tomorrow or Monday.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6
(mobile)|

From: Binder, Jonathan
Sent: Thursday, May 31, 2018 2:44 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Attached is information on their names, tribal leaders, and environmental points of contact.

Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Please let me know your thoughts. Jonathan

From: Gee, Randy
Sent: Wednesday, May 30, 2018 2:34 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>
Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan
Sent: Wednesday, May 30, 2018 1:05 PM
To: Gee, Randy <Gee.Randy@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Tribal contacts

Thanks Randy,

Quick question. **Deliberative Process / Ex. 5**
See below.

Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico – New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
--	--	--	--	--	---

From: Gee, Randy
Sent: Tuesday, May 22, 2018 1:54 PM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: Tribal contacts

<image001.jpg>

William Lynn

Minerals Director – Osage
Minerals Council
813 Grandview Avenue, Parkersburg, WV
OK 74056
Office: [Personal Phone / Ex. 6](#)
FAX: 918.287-5693
william.lynn@osagenation.com
Email | [Website](#)

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob
Sent: Tuesday, May 22, 2018 11:02 AM
To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

Message

From: Pat Henderson [phenderson@marcelluscoalition.org]
Sent: 5/31/2018 9:18:23 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: Marcellus Shale Coalition Letter - New Owner Audit Program
Attachments: MSC Letter - New Owner Audit Program June '18.pdf

Good afternoon,

Please find attached comments submitted by the Marcellus Shale Coalition. We appreciate your consideration of these comments and stand ready to assist on any questions you may have.

Thank you.

Patrick Henderson
Marcellus Shale Coalition
300 North 2nd Street, Suite 1102
Harrisburg, PA 17101
Cell: Personal Phone / Ex. 6
phenderson@marcelluscoalition.org





June 1, 2018

U.S. Environmental Protection Agency Headquarters
Att: Apple Chapman, Tim Sullivan & Christopher Williams
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 2242A
Washington, DC 20460

Re: New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities (*via Electronic Mail*)

To Whom It May Concern:

The Marcellus Shale Coalition (MSC) was formed in 2008 and is comprised of approximately 220 producing, midstream, transmission and supply chain members who are fully committed to working with local, county, state and federal government officials and regulators to facilitate the safe development of natural gas resources in the Marcellus, Utica and related geological formations. Our members represent many of the largest and most active companies in natural gas production, gathering, processing and transmission in the country, as well as the suppliers and contractors who service the industry. In total, MSC members produce, process and transport over 95% of the unconventional natural gas produced in Pennsylvania.

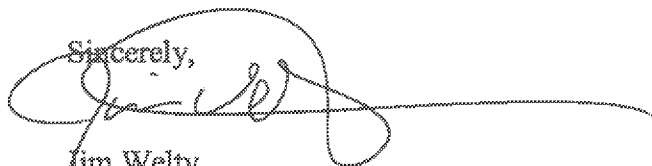
The MSC appreciates the opportunity to offer comments on behalf of its member companies regarding the U.S. Environmental Protection Agency's (U.S. EPA or Agency) New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities (Audit Program). The MSC offers the following specific comments for the U.S. EPA's consideration.

- 1) The MSC expresses its overall support for penalty mitigation, including the proposed 100% mitigation of proposed penalties, provided the new owner complies with the audit program's terms. It is important that U.S. EPA policy recognize the importance and environmental benefits of encouraging operator compliance.
- 2) The MSC encourages the U.S. EPA to encapsulate the audit program in an Agency guidance document or policy memorandum, so as to provide maximum flexibility to both Agency staff and new owners.
- 3) The U.S. EPA should reinstate the prior 9-month window for new owners to utilize the benefits of the Audit Program, as compared to the 6-month window proposed here. This additional time may be necessary for new owners that acquire substantial assets to review the compliance status of these assets and apply for utilization of the benefits of the Audit Program.
- 4) The MSC encourages the U.S. EPA to identify the anticipated finalization date of this policy to allow new owners to plan to utilize the Audit Program, if eligible.

- 5) The U.S. EPA should clarify the definition of "eligible facilities" under the Audit Program. Additionally, the MSC encourages the Agency not to make this list exhaustive, so that other facilities may be included where demonstrated to be appropriate on a case-by-case basis.
- 6) The U.S. EPA should provide additional clarification regarding the types of violations and associated timeframes for corrective action. Certain violations may only be discoverable after detailed review and analysis of legacy databases, reports and existing permits or authorizations. The scope and magnitude of noncompliance that is discovered may necessitate flexibility by the Agency in developing a schedule for compliance.
- 7) The presumptive 60-day deadline for corrective action may not be adequate in situations where there are a significant number of facilities included in the Audit Program and a significant number of outstanding violations which the operator seeks to bring into compliance. The MSC encourages the U.S. EPA to consider authorizing a lengthier initial deadline, where appropriate, so as to provide operator flexibility and efficiently utilize Agency staff resources by avoiding inevitable compliance deadline extension requests due to a significant number of facilities covered under the request. Additionally, there may be benefit to both U.S. EPA and the company to identify mutually agreeable dates in the Audit Program agreement for periodic status updates and review of progress. (Section III (10)).
- 8) The prohibition on operator appeals for penalties included in a Final Determination for satisfactorily-corrected violations may discourage industry from fully utilizing the Audit Program. The MSC strongly encourages U.S. EPA to reconsider this prohibition, as anything which discourages participation in the Audit Program defeats the stated intent to encourage disclosure and compliance by industry. (Section IV (16)).
- 9) The Draft Agreement presupposes a violation and requires, at a minimum, compliance with Appendix B. It appears as though the conditions of Appendix B are compulsory, regardless of the nature of a disclosed violation. Engineering and design evaluation should be required only if a violation is discovered associated with the vapor control system, originating from its engineering. It is appropriate for such terms to be negotiated between the operator and the Agency, specific to findings of the audit program.

The MSC appreciates the U.S. EPA's consideration of these comments. Should you or your staff have any questions, please do not hesitate to contact us.

Sincerely,



Jim Welty
Vice President, Government Affairs



Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/31/2018 8:55:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Hi Apple,
Can you send me the draft final list of stakeholders who receive an email or letter? Is that possible?
Thanks,
Jim

Sent from my iPhone

On May 31, 2018, at 1:08 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Deliberative Process / Ex. 5 I will be sending the final letter to Rosemarie tomorrow. I expect that her secretary will merge the letter with the addresses and get the letter out tomorrow or Monday.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile) |

From: Binder, Jonathan
Sent: Thursday, May 31, 2018 2:44 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes.

Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Attached is information on their names, tribal leaders, and environmental points of contact.

Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Please let me know your thoughts. Jonathan

From: Gee, Randy
Sent: Wednesday, May 30, 2018 2:34 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>
Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan
Sent: Wednesday, May 30, 2018 1:05 PM

To: Gee, Randy <Gee.Randy@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Tribal contacts

Thanks Randy,

Quick question.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

See below.

Deliberative Process / Ex. 5

<u>Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico – New Mexico</u>		<u>Pueblo Indian Reservations</u>			following up with region 6. Jim said contact Rob Lawrence
---	--	-----------------------------------	--	--	---

From: Gee, Randy

Sent: Tuesday, May 22, 2018 1:54 PM

To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: RE: Tribal contacts

<image001.jpg>

William Lynn
Minerals Director – Osage Minerals Council
813 Grandview Avenue, Pawhuska, OK 74056
Office: Personal Phone / Ex. 6 | FAX: 918.287-5693
william.lynn@osagenation-nsn.gov
Email | Website

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob

Sent: Tuesday, May 22, 2018 11:02 AM

To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence


Region 6
Policy Advisor - Energy Issues
214.665.6580

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/31/2018 6:43:57 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Lawrence, Rob [Lawrence.Rob@epa.gov]
Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas
Attachments: APCG Chaco Resolution .pdf

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

 R6 Pueblos List 5-10-18.docx

<!--[endif]-->

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Attached is information on their names, tribal leaders, and environmental points of contact.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please let me know your thoughts. Jonathan

From: Gee, Randy
Sent: Wednesday, May 30, 2018 2:34 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>
Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan
Sent: Wednesday, May 30, 2018 1:05 PM
To: Gee, Randy <Gee.Randy@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Tribal contacts

Thanks Randy,

Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico -- New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
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From: Gee, Randy

Sent: Tuesday, May 22, 2018 1:54 PM

To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: RE: Tribal contacts



William Lynn

Minerals Director – Osage Minerals Council

813 Grandview Avenue, Pawhuska, OK 74056

Office: Personal Phone / Ex. 6 FAX: 918.287-5693

william.lynn@osagenation-nsn.gov

Email | Website

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob

Sent: Tuesday, May 22, 2018 11:02 AM

To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence

Region 6

Policy Advisor - Energy Issues

214.665.6580

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/31/2018 5:19:27 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: More recent Q&A document.
Attachments: OG New Owner Program - QsAs - Draft_05.30.2018 (JCK).docx

Hi Tim –

Some thoughts included in the attached for your consideration.

Thanks,

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: Sullivan, Tim
Sent: Wednesday, May 30, 2018 1:53 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5	
Deliberative Process / Ex. 5	I also added some additional Qs and As. Please review and comment as you see fit.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement
Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: OKeefe, Susan
Sent: Thursday, May 24, 2018 2:01 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Chapman, Apple" <Chapman.Apple@epa.gov>
Date: May 23, 2018 at 3:35:53 PM EDT
To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jones, Gary" <Jones.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6
(mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>;

Milton, Philip <Milton.Phillip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>

Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included? **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

She can follow up with an email (or I can) that includes the date and the logistics. This way the letter won't be delayed while I am working on the logistical issues.

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S.
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) **Personal Phone / Ex. 6** (mobile) |

From: OKeefe, Susan

Sent: Wednesday, May 23, 2018 1:05 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>

Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I Personal Matters / Ex. 6 won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

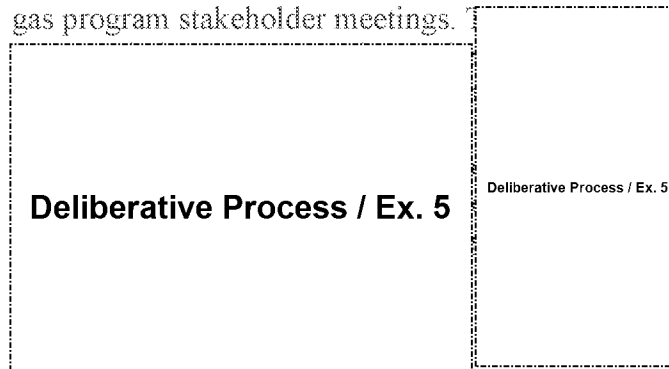
Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan

<Binder.Jonathan@epa.gov>

Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.



Ms. Apple Chapman [Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** (mobile)]

<Questions and Answers on Second FR July 31.doc>

Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 5/10/2018 2:29:46 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Subject: Near Final Slides for AEM Opening -- if any of these infringe on topics you are covering, let me know and I will cut these back -- [Deliberative Process / Ex. 5]
Attachments: Presentation AEM 5.151.18.pptx

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/4/2018 7:11:43 PM
To: Johnson, Catherine M. [johnson.catherinem@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Letters for Rosemarie's signature
Attachments: Final Letter to 11 Tribes addressed.docx

Thank you again for working on this!

- One question –

Deliberative Process / Ex. 5

Comments

- See attached for redline/strikeout.
- You will see the following edits

Deliberative Process / Ex. 5

From: Johnson, Catherine M.
Sent: Monday, June 4, 2018 1:26 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: Letters for Rosemarie's signature

OK. See attached.

From: Binder, Jonathan
Sent: Monday, June 4, 2018 1:21 PM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Subject: RE: Letters for Rosemarie's signature

Can you resend to me. Not attached.

Deliberative Process / Ex. 5

From: Johnson, Catherine M.
Sent: Monday, June 4, 2018 1:20 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: Letters for Rosemarie's signature

I will save them to my desktop for now. Also, please check the two letters I have attached to make sure that this is the format you want. [

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thank you.

From: Binder, Jonathan
Sent: Monday, June 4, 2018 1:12 PM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Subject: RE: Letters for Rosemarie's signature

I'm not sure yet. Can I let you know.

From: Johnson, Catherine M.
Sent: Monday, June 4, 2018 1:02 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: Letters for Rosemarie's signature

Where would you like for me to save the final letters on the system? Thanks.

From: Binder, Jonathan
Sent: Monday, June 4, 2018 10:53 AM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Subject: FW: Letters for Rosemarie's signature

Good morning Catherine,

Please let me know if you have any questions about the letters. One additional change.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thank you.

Jonathan

From: Chapman, Apple
Sent: Monday, June 4, 2018 10:36 AM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: RE: Letters for Rosemarie's signature

Catherine,
I sent you the wrong version of the letter. Final is attached. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Chapman, Apple
Sent: Monday, June 04, 2018 10:28 AM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: RE: Letters for Rosemarie's signature
Importance: High

Catherine,
I got some updated instructions from Jonathan Binder (cc on this email). Here are the instructions for getting the letters out. You do not need to mail any letters, all can be send via email only.

Please contact Jonathan directly – 564-2516 - with questions (I am not free again until after 2pm).

In addition to the instructions below, please send the letter via email to the R6 Pueblos List (attached). The best way to send emails is to copy and paste individual email addresses into a word document separated by a semicolon. This way, the entire address list can be copied and pasted into the bcc line.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Chapman, Apple
Sent: Monday, June 04, 2018 9:06 AM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: Letters for Rosemarie's signature

Good morning,

In the next hour or so I will be sending you a letter for Rosemarie's signature as well as several names and addresses that will need to be included on the letter (one letter for each addressee). Once the names and addresses have been added, please print the letters on letter head stationary and date stamp each one. Once you have them ready please have Rosemarie sign each one for mailing.

I will also need individual PDF versions of each letter so they can be transmitted via email where we have email addresses.

Please call me if you have questions.

Thank you in advance for your assistance.

Apple

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Texas Pipeline Association [texaspipelineassociation@yahoo.com]
Sent: 6/4/2018 6:15:21 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: EPA New Owner Clean Air Act Audit Program for the Oil and Natural Gas Sector
Attachments: EPA New Owner Audit20180604_13020038.pdf

Please see the attached comments of the Texas Pipeline Association regarding the New Owner Clean Air Act Audit Program for the Oil and Natural Gas Sector.

We appreciate this opportunity to share our comments.

Angie Adams
Assistant to the President
Texas Pipeline Association

Personal Phone / Ex. 6



Texas Pipeline Association

Thure Cannon
President

June 4, 2018

Apple Chapman (chapman.apple@epa.gov)
Tim Sullivan (sullivan.tim@epa.gov)
Christopher Williams (williams.christopher@epa.gov).
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: New Owner Clean Air Act Audit Program for the Oil and Natural Gas Sector

Dear Sirs and Madam:

The Texas Pipeline Association ("TPA") appreciates this opportunity to submit comments to the U.S. Environmental Protection Agency ("EPA") regarding the development of a New Owner Clean Air Act Audit Program for the oil and natural gas sector. TPA is an organization composed of over 40 member companies who gather, process, treat, and transport natural gas and hazardous liquids materials through intrastate pipelines in Texas. We are submitting these comments because we anticipate that the proposed new owner audit program for the production segment will serve as a template for use in other industry segments, including the midstream and transmission segments.

TPA fully supports EPA's current effort to develop a new owner audit program tailored to the oil and natural gas industry. In our experience working with state and federal programs of this kind, we have found that such programs are beneficial and fair to all stakeholders. They help to ensure that violations attributable to the seller do not unfairly burden the buyer; utilizing a new owner audit program, the buyer can identify and rectify legacy violations and thereby wipe the slate clean as the buyer takes over the newly acquired operations. Such programs also promote economic activity and investment, because companies are more likely to engage in asset transfers if the buyer is assured that it can take advantage of a new owner audit program to address violations not of its own making. These programs also provide assurance to the public that legacy issues are being addressed during ownership transfers and not allowed to continue hidden and unaddressed.

I. TPA supports the development of a new owner audit program for production sources, and we urge EPA to make such a program available to midstream and transmission sources as well.

EPA has indicated that the new owner audit program for the oil and natural gas industry will initially be made available only to upstream exploration and production sites. However, the same benefits that can be realized by implementing the program in the production segment can also be realized in other industry segments. Therefore, TPA encourages EPA to extend the new

owner audit program to other industry segments, specifically including the midstream and transmission segments of the oil and natural gas industry.

Midstream and transmission transactions often involve the transfer of one or more sites and associated pipeline infrastructure, all of which is subject to environmental regulation and thus carries the potential for prior or ongoing noncompliance. The due diligence process is not materially different in the midstream and transmission segments vs. the production segment, and the post-acquisition review and audit process is also similar if not identical. This being so, we believe that the benefits of such an audit program should not be confined to production and should also be available to midstream and transmission sources. The case for adding the midstream and transmission segments to the program is even stronger when one considers that purchases and sales of assets in the production segment are often accompanied by related transfers of assets in the midstream segment, *e.g.*, processing sites or gathering and boosting facilities, and occasionally in the transmission segment. In such a situation, there would seem to be no reason why EPA's new program should cover one group of assets but not the other.

TPA believes that the currently proposed agreement template for production sources would also work for midstream and transmission sources. EPA might need to make certain revisions to the template agreement to make it better applicable to the midstream and transmission segments, but such tweaks should be minor. Alternatively, EPA could prepare a completely new template agreement for midstream and transmission sources. We would prefer the former course of action, and we would be happy to provide further input on ways to adjust the current draft template to fit the midstream and transmission segments.

II. EPA should expand the new owner audit program to cover additional environmental media.

EPA should extend the new owner oil and gas program beyond compliance issues under the Clean Air Act, to cover all environmental media under all regulations and statutes administered by the agency. The due diligence process and the post-acquisition review and audit process are obviously not limited to air issues. Rather, they involve a consideration of compliance issues related to all environmental media, *e.g.*, solid waste, hazardous waste, water, and others. Accordingly, the benefits of the new program should extend to all environmental programs. The New Owner Clean Air Act Audit Program for the oil and natural gas sector "will provide environmentally protective efficiencies and certainty" and will be "an opportunity for timely and cost-effective" compliance.¹ It is because the program carries such potentially significant benefits that we urge EPA to broaden its application.

III. The program should cover issues discovered in pre-acquisition due diligence.

EPA's new owner oil and gas audit program should cover compliance issues discovered prior to the closing of the transaction, *i.e.*, during the pre-acquisition due diligence period. During the due diligence process, the potential buyer has an opportunity to identify compliance issues.

¹ See <https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>.

Applying the audit program to violations discovered prior to closing would achieve the same policy goals and benefits otherwise being realized through the program: enabling the new owner to wipe the slate clean and not be burdened by violations not of its own making. It was EPA's view that violations discovered prior to closing were entitled to the benefits of the 2008 new owner audit program. *See* 73 Fed. Reg. 44991 (Aug. 1, 2008). EPA should incorporate this same concept in the oil and gas new owner audit program.

Including pre-closing violations in the audit program has worked well in Texas. Under the Texas program, The Texas Environmental, Health, and Safety Audit Privilege Act² provides *inter alia* that a potential buyer may begin an audit before acquiring a facility. The potential buyer may then continue the audit after closing if the company notifies the appropriate agency within 45 days of closing that the company intends to continue the ongoing audit. Texas requires the notice to specify the facility or portion of the facility being audited, the date the audit began, and the general scope of the audit. EPA should follow the Texas model by allowing a potential new owner to conduct an audit that bridges the closing date, thus bringing violations discovered prior to closing into the program.

If EPA does include violations discovered pre-closing in the new owner audit program, it should also modify the applicable time periods accordingly. A prospective buyer that identifies a violation during due diligence will generally be unable to report or repair the problem until after closing, due to confidentiality provisions and lack of authority. Any delay during the pre-closing period should not count against the buyer and should not disqualify the buyer from participation in the program once the transaction has been closed. Therefore, any applicable time periods should only start to run upon closing. For example, Paragraph 10 of the draft template agreement requires the company to correct certain violations within 60 days of discovery. This provision is unworkable for a violation discovered during the due diligence process. For violations discovered pre-closing, the 60-day period for correction of violations should not begin to run until the date of closing.

IV. Companies should have nine months to enter into an audit agreement under the new oil and gas program.

The draft agreement template for the New Owner Clean Air Act Audit Program for the oil and natural gas sector provides that a company wishing to participate in the program would generally have to notify EPA within six months of the closing date of the acquisition. *See* Paragraph 4(C). TPA believes that that this is an insufficient amount of time. EPA's 2008 new owner audit program sets a nine-month deadline,³ and we believe that EPA should provide at least the same amount of time in the oil and gas agreement template.

The reason why additional time is needed was explained by EPA itself in the 2008 new owner audit program preamble. EPA considered stakeholders' comments that a six-month deadline should be set, but EPA ultimately decided that a longer period, nine months, was more appropriate. EPA noted that "post-transaction demands may make it difficult to focus corporate

² Tex. Civ. Stat. art. 4447cc.

³ *See* 73 Fed. Reg. 44997 (Aug. 1, 2008).

attention on an immediate evaluation of environmental compliance issues, especially when the company would have to make a potentially expensive commitment to conduct audits and address noncompliance.”⁴ EPA correctly acknowledged that “requiring such potentially high-stakes decision-making too quickly after the transaction, before the new owner has had the chance to operate its facility, would mean that fewer new owners would come forward, notwithstanding that, given more time for consideration and analysis of the situation, some would have indeed used the Audit Policy.”⁵ Based on these considerations, EPA concluded that six months was too short because it would result in fewer companies participating in the program: “Since EPA’s intent is to encourage new owners to audit and disclose, and work with the Agency to correct problems, it seems advisable to provide sufficient time for decision-making.”⁶

These considerations are fully applicable in the oil and natural gas industry. Transactions in the industry can be complex. The post-acquisition period is often very busy, with great focus placed on integrating the newly acquired assets into the buyer’s ongoing operations. In this context, it would be difficult for the new buyer to quickly assess whether, and to what extent, it should participate in the voluntary audit disclosure program. We have not seen any indication that the nine-month period used in the 2008 program is not working in some way. Accordingly, TPA urges EPA to set, at a minimum, a nine-month deadline for participating in the new oil and gas program.

V. Program participants should not have to use EPA’s template agreement in all cases.

One key to a successful self-audit program is flexibility. The tools used by EPA and a program participant should match the particular circumstances at issue. One of those tools is the agreement between EPA and the self-auditing company setting out the terms of the company’s participation in the program. We see no need for EPA to rigidly insist that the same template agreement be used in every case. Rather, if the circumstances warrant, EPA should be willing to stray from the terms of the template.

In describing the New Owner Clean Air Act Audit Program for the oil and natural gas sector, EPA stated that “offering additional flexibilities under a specific and tailored new owner audit program will make it easier for the regulated community to self-disclose and correct violations, thereby providing additional protection for public health and the environment.”⁷ We agree with EPA’s recognition of the importance of flexibility in this context. One way to increase flexibility is for EPA to allow companies to tailor the agreement to the particular facts at hand, where the circumstances warrant. We ask EPA not to rule out the possibility of such a tailored agreement for the new oil and gas audit program.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ See <https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production>.

VI. EPA should add clarity to the reference in Appendix C to audit instruments, audit protocols, and audit checklists.

The draft template agreement, at Appendix C, contains a paragraph pertaining to audit instruments. It appears that the term “audit instruments” includes audit protocols and audit checklists. It also appears that the audit protocols consist of the requirements outlined in Appendix B, but this is somewhat unclear because the requirements in Appendix B are not referred to as protocols. We would appreciate more clarity on whether the requirements in Appendix B do in fact constitute the “audit protocols.” In addition, we would appreciate guidance on what the audit checklist should entail.

VII. EPA should look to the Texas program as a model.

TPA members have significant experience with the Texas self-audit policy, implemented by the Texas Commission on Environmental Quality under the Texas Environmental, Health, and Safety Audit Privilege Act.⁸ Our members have generally had good experiences with the Texas policy and we have found it to be beneficial during acquisitions.

We encourage EPA to review the Texas program and consider incorporating aspects of the Texas policy in EPA’s new oil and gas program. TPA has already suggested that EPA follow the Texas example of including in the audit program those violations that are discovered prior to closing. We also ask EPA to consider adding a key feature of the Texas program, application of an evidentiary privilege for audit reports. The privilege, which is set forth in Section 5 of the Texas Environmental, Health, and Safety Audit Privilege Act, generally provides that audit reports are privileged, inadmissible as evidence, and not subject to discovery in civil and administrative proceedings. The existence of this privilege gives additional comfort to reporting companies and is likely to have resulted in additional companies choosing to disclose violations under the Texas program, to the benefit of those companies, the public, and the environment. It would be beneficial if EPA adopted a similar approach.

VIII. EPA should clarify the interplay between federal and state audit program participation.

Paragraph 3 of the draft template agreement provides that a company may choose to enter into a parallel audit agreement with a state that has a state audit policy. Paragraph 29 provides that EPA will notify states of violations disclosed and corrected under the federal agreement. There does not appear to be a need for EPA to notify a state in this manner if the company has entered into a parallel agreement with the state. If a company is performing both a federal and a state audit, the company will be responsible to making appropriate disclosures to the state agency. Injecting EPA into the dialogue between the company and the state seems both unnecessary and potentially confusing. We suggest adding a provision in Paragraph 29 stating that EPA need not notify a state of violations disclosed and corrected, if the company has entered into a state audit agreement covering the same facility.

⁸ Tex. Civ. Stat. art. 4447cc.

In addition, EPA should align deadlines under the federal program with corresponding deadlines in analogous state programs. EPA should consider provisions that make federal deadlines for notifications, submissions, and similar reporting requirements correspond to analogous deadlines in state programs. This would help to streamline the dual use of state and federal programs.

Finally, in no event should the participation in the federal program prevent a company from also participating in a state program. The federal program should be an additional alternative and should not displace a state program under any circumstances.

IX. Conclusion.

TPA supports the concept of voluntary self-audit programs generally and EPA's current effort to tailor such a program to the oil and natural gas industry. We note that most if not all of our member companies already have rigorous compliance programs in place, requiring regular audits and prompt repair of leaks and other issues that are discovered, regardless of any federal incentives to do so. Voluntary self-audit programs, such as the oil and gas program currently under review, are appropriate and beneficial in that they encourage and reward the efforts that companies make to run safe and environmentally sound operations. Accordingly, we appreciate EPA's efforts and we encourage EPA to consider our comments as a way to make the program even more effective.

We appreciate the opportunity to submit these comments. We note that GPA Midstream Association is also filing comments supporting EPA's efforts, and TPA also endorses and supports the comments filed by GPA Midstream.

Yours truly,

A handwritten signature in black ink, appearing to read 'Thure Cannon', with a stylized, flowing script.


Thure Cannon
President

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/4/2018 2:07:56 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Lawrence, Rob [Lawrence.Rob@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

 Tribal Engagement List.xlsx

<!--[endif]-->

Apple,

Thanks again for both keeping this moving and keeping us in the loop. To make it easier, I've re-attached the excel spreadsheet. Please note the following

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Monday, June 4, 2018 8:57 AM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Draft Final letter is attached. I am going to send this letter and the 2 attachments to Rosemarie's secretary this morning so she can add the names and addresses and print for Rosemarie's signature. The letters will go out by regular mail because there are not any email addresses on the Excel spreadsheet.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

information and email addresses.

Please get her the right contact

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Binder, Jonathan
Sent: Friday, June 01, 2018 8:48 AM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Apple,

Deliberative Process / Ex. 5 I'm working at home so can't help out in the office. That said, I can add the names to the letters and send them back to you our Rosemarie's secretary. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Regarding outreach to OAR, OITA/AIEO, and the RICs, I can do that this morning.

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Sent: Friday, June 1, 2018 8:25 AM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: Re: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Thanks Jonathan.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

have to get the other emails out that are going to the industry, environmental groups, and states.

Sent from my iPhone

On Jun 1, 2018, at 7:56 AM, Binder, Jonathan <Binder.Jonathan@epa.gov> wrote:

Apple,

Thanks again for moving this forward and keeping us in the loop.

Deliberative Process / Ex. 5

I've now updated the spreadsheet with the Regional, OAR, and OITA/AIEO information.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple

Sent: Thursday, May 31, 2018 3:09 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Deliberative Process / Ex. 5 I will be sending the final letter to Rosemarie tomorrow. I expect that her secretary will merge the letter with the addresses and get the letter out tomorrow or Monday.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Binder, Jonathan

Sent: Thursday, May 31, 2018 2:44 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes.

Deliberative Process / Ex. 5 **Deliberative Process / Ex. 5**
Attached is information on their names, tribal leaders, and environmental points of contact.

Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Please let me know your thoughts. Jonathan

From: Gee, Randy

Sent: Wednesday, May 30, 2018 2:34 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>

Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>

Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan

Sent: Wednesday, May 30, 2018 1:05 PM

To: Gee, Randy <Gee.Randy@epa.gov>

Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Tribal contacts

Thanks Randy,

Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico – New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
--	--	--	--	--	---

From: Gee, Randy

Sent: Tuesday, May 22, 2018 1:54 PM

To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: RE: Tribal contacts



William Lynn

Minerals Director – Osage Minerals Council

813 Grandview Avenue, Pawhuska, OK 74056

Office: [Personal Phone / Ex. 6](#) FAX: 918.287-5693

william.lynn@osagenation-nsn.gov

[Email](#) | [Website](#)

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob

Sent: Tuesday, May 22, 2018 11:02 AM

To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence

Region 6

Policy Advisor - Energy Issues

214.665.6580

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/21/2018 7:47:26 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: RE: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas
Attachments: Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agreement 5.17.18 (JCK).docx

Hi Apple –
My edits/comments are in the attached version.
Thanks,
Jim

--
Jim

Desk/Mobile: Personal Phone / Ex. 6

From: OKeefe, Susan
Sent: Friday, May 18, 2018 5:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Apple and Jim – Just before the OCE General yesterday, I was asked to attend the general because

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Attached for your review and comment is a first draft of the letter that would go to the tribal leaders. Please review and provide additional information on the program, as suggested in the draft, to be included in the second paragraph. It would be great if you can get me your revisions by 2:00 or so on Monday so we can get a draft to Rosemarie by COB. We then can shoot to get a revised draft letter to Susan B, et al. by Tuesday or Wed. With a little luck and not much more work, the letters can go out by the end of next week.

I hope you had a good meeting in Philly, Apply, and that both of you have a great weekend (even though it's supposed to continue raining in our area).

Susan

*Susan E. O'Keefe, Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4021
okeefe.susan@epa.gov*



Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/4/2018 1:20:40 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

In about 10 minutes, I'll send you an updated the excel spreadsheet and highlighted in yellow the email addresses

From: Chapman, Apple
Sent: Monday, June 4, 2018 8:57 AM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

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1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

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Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Apple,

I understand the time scope and crunch. I'm working at home so can't help out in the office. That said, I can add the names to the letters and send them back to you our Rosemarie's secretary. I'm fairly certain that we had discussed the plan with regard to the letters and emails.

Deliberative Process / Ex. 5

Regarding outreach to OAR, OITA/AIEO, and the RICs, I can do that this morning.

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Thanks Jonathan.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

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Sent from my iPhone

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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

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Deliberative Process / Ex. 5

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Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Tribal contacts

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Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico – New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
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Subject: RE: Tribal contacts



William Lynn
Minerals Director – Osage Minerals Council
813 Grandview Avenue, Pawhuska, OK 74056
Office: 918.287.5433 | FAX: 918.287-5693
william.lynn@osagenation-nsn.gov
[Email](#) | [Website](#)

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Deliberative Process / Ex. 5

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Thanks!

Rob Lawrence

Region 6

Policy Advisor - Energy Issues

214.665.6580

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Sent: 6/4/2018 1:07:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Lawrence, Rob [Lawrence.Rob@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good morning Apple,

Thanks for sending the draft final letter. I'll alert the regions. See below in response to next steps and your questions

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Monday, June 4, 2018 8:57 AM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Draft Final letter is attached. I am going to send this letter and the 2 attachments to Rosemarie's secretary this morning so she can add the names and addresses and print for Rosemarie's signature. The letters will go out by regular mail because there are not any email addresses on the Excel spreadsheet. The R6 list does include email addresses but I am assuming you want to be consistent send them all via regular mail.

Rosemarie can send a pdf of the letter to OAR, OITA/AIEO, and the RICs. Please get her the right contact information and email addresses.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Binder, Jonathan
Sent: Friday, June 01, 2018 8:48 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Apple,

I understand the time scope and crunch. I'm working at home so can't help out in the office. That said, I can add the names to the letters and send them back to you our Rosemarie's secretary. I'm fairly certain that we had discussed the plan with regard to the letters and emails.

Deliberative Process / Ex. 5

Regarding outreach to OAR, OITA/AIEO, and the RICs, I can do that this morning.

From: Chapman, Apple

Sent: Friday, June 1, 2018 8:25 AM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: Re: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Thanks Jonathan.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

have to get the other emails out that are going to the industry, environmental groups, and states.

Sent from my iPhone

On Jun 1, 2018, at 7:56 AM, Binder, Jonathan <Binder.Jonathan@epa.gov> wrote:

Apple,

Thanks again for moving this forward and keeping us in the loop.

Deliberative Process / Ex. 5

I've now updated the spreadsheet with the Regional, OAR, and OITA/AIEO information. Note: all pueblos are in Region 6.

From: Chapman, Apple

Sent: Thursday, May 31, 2018 3:09 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>

Subject: RE: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Better to be over inclusive. I will be sending the final letter to Rosemarie tomorrow. I expect that her secretary will merge the letter with the addresses and get the letter out tomorrow or Monday.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Binder, Jonathan
Sent: Thursday, May 31, 2018 2:44 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: Outreach to Tribes - New Owner CAA Audit Program for Oil and Gas

Good afternoon. I've updated the excel spreadsheet with additional names for the outreach to tribes.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Attached is information on their names, tribal leaders, and environmental points of contact.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Please let me know your thoughts. Jonathan

From: Gee, Randy
Sent: Wednesday, May 30, 2018 2:34 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>
Subject: RE: Tribal contacts

Jonathan,

Deliberative Process / Ex. 5

Randy

From: Binder, Jonathan
Sent: Wednesday, May 30, 2018 1:05 PM
To: Gee, Randy <Gee.Randy@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>
Subject: RE: Tribal contacts

Thanks Randy,

Deliberative Process / Ex. 5

Pueblo Indian Reservations, Various Pueblo Tribes in New Mexico – New Mexico		Pueblo Indian Reservations			following up with region 6. Jim said contact Rob Lawrence
--	--	----------------------------	--	--	---

From: Gee, Randy
Sent: Tuesday, May 22, 2018 1:54 PM

To: Lawrence, Rob <Lawrence.Rob@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: RE: Tribal contacts



William Lynn
Minerals Director – Osage
Minerals Council
813 Grandview Avenue, Pawhuska,
OK 74056
Office: [Personal Phone / Ex. 6](tel:918.287.5693) |
FAX: 918.287-5693
william.lynn@osagenation-nsn.gov
Email | Website

Rob and Jonathan- attached is our current list of contacts for our tribal partners. I also pasted our Osage Minerals Council (OMC) contact to the top of this message.

Deliberative Process / Ex. 5

Randy

From: Lawrence, Rob

Sent: Tuesday, May 22, 2018 11:02 AM

To: Gee, Randy <Gee.Randy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>

Subject: Tribal contacts

Randy – in talking to Jonathan about the OECA proposed new owner audit policy for oil/gas operations, I realize that for some reason my spreadsheet of tribes is incomplete. It (attached) appears to only include the OK tribal contacts. Can you send me the contacts that you have for the entire list of 66 tribes? I need it for any future outreach that I might do (for this or other topics).

Thanks!

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 6/2/2018 12:27:48 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Oil and Gas Audit Program Invitation

Good morning,
Thanks for confirming, I will update.

Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

iphone

On Jun 1, 2018, at 10:29 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Monday, July 2. Thanks.

Sent from my iPhone

On Jun 1, 2018, at 9:38 PM, Norris, Munsel <Norris.Munsel@epa.gov> wrote:

Hi Apple,
The extended date is July weekend 2nd, correct?

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone

Personal Phone / Ex. 6

iphone

On Jun 1, 2018, at 7:10 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Munsel,
Here is one of three emails Patrick sent on Friday. Can you please update the web page with the new date for submitting comments.
Thank you!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S.
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office)

Personal Phone / Ex. 6

 (mobile)|

From: Traylor, Patrick
Sent: Friday, June 01, 2018 6:16 PM
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Fried, Gregory

<Fried.Gregory@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>

Subject: Oil and Gas Audit Program Invitation

On May 4, 2018, the EPA made available for public comment a draft standard audit program agreement tailored for new owners of oil and natural gas exploration and production facilities.

At that time, we stated that we would be accepting stakeholder comments on the draft agreement until Monday, June 4, 2018, and conducting outreach to seek individual feedback from states, tribes, the regulated community, environmental NGOs, and other stakeholders. EPA is pleased to announce we are extending the comment period until Monday, July 2, 2018, and we are hosting in-person opportunities to engage on the draft agreement.

On Thursday, June 28, from 9:30 a.m. to 12:00 p.m. (EDT), EPA staff will be hosting a stakeholder meeting in Washington, DC at 1200 Pennsylvania Avenue NW in the William Jefferson Clinton South Building, Room 5213. The purpose of the meeting is to afford stakeholders with the opportunity to provide individual, verbal feedback on the draft agreement directly to EPA staff. During the meeting, EPA staff may provide some clarifications on the draft agreement as necessary to help understand your verbal comments. However, EPA staff will not discuss the merits of the draft agreement, negotiate specific changes, or respond to verbal comments. You may participate in this stakeholder meeting for Industry Stakeholders in-person or by conference call (see registration details below). If you are unable to participate in this stakeholder meeting at this date and time, you are encouraged to provide written comments to EPA by Monday, July 2, 2018. EPA is providing all segments of the oil and natural gas stakeholder community with this opportunity and cannot offer make-up sessions. If you participate at the meeting or provide comments, EPA requests that you do so on an individual basis.

While EPA has made every attempt to inform interested parties of the opportunity to provide individual written comments on the draft agreement and provide verbal comments, we encourage you to share this email with your colleagues in the oil and natural gas stakeholder community.

To register for the in-person meeting please send an email to Apple Chapman at chapman.apple@epa.gov by 5:00 p.m. (EDT) on Friday, June 22. The subject line of the email should say "Oil and Natural Gas Program Registration." In the body of the email please indicate if you plan to participate in person or by teleconference. Apple will provide you with additional logistics and information in an upcoming message. We have also prepared the attached Q&A document with information regarding meeting logistics. If you have

questions about the in-person stakeholder meeting, please contact Apple by email.

We look forward to your participation.

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)

Personal Phone / Ex. 6

 (cell)

<OGNO Program Stakeholder Meetings Q&A Document.docx>

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 6/7/2018 4:58:09 PM
To: Kenney, James [Kenney.James@epa.gov]; Senn, John [Senn.John@epa.gov]
CC: Daguillard, Robert [Daguillard.Robert@epa.gov]; Germann, Sandy [Germann.Sandy@epa.gov]; Hull, George [Hull.George@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Attachments: EENews_Fracking_June4_EEPI_SIT.docx

Thanks Jim, for forwarding to OECA.

John, please find our suggested addition to the response, v

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Marcia B Mia
Unconventional Oil and Gas Point of Contact (UOG POC)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-7042

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I'm including Rosemarie Kelley (OCE), Marcia Mia (OC) and Apple Chapman (OCE/AED) to see if they agree/disagree.

Deliberative Process / Ex. 5

Thanks,

Jim

--

James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA

Desk/Mobile: [Personal Phone / Ex. 6](#) || Email: kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

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From: Senn, John

Sent: Tuesday, June 5, 2018 9:04 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>

Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Deliberative Process / Ex. 5

...thanks,

John

From: Daguillard, Robert

Sent: Tuesday, June 5, 2018 8:18 AM

To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>

Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS

PAMELA KING

DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

+1 Personal Phone / Ex. 6 (M)

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/7/2018 4:54:46 PM
To: Johnson, Catherine M. [johnson.catherinem@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: RE: Binder, Jonathan has shared 'Draft Final Letter to Tribes Re New Owner Audit Program Agrmt 6 5 18'

Terrific. Thanks for letting me know.

From: Johnson, Catherine M.
Sent: Thursday, June 7, 2018 12:50 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: Binder, Jonathan has shared 'Draft Final Letter to Tribes Re New Owner Audit Program Agrmt 6 5 18'

The letters are on Rosemarie's desk for signature.

From: Binder, Jonathan
Sent: Thursday, June 7, 2018 8:55 AM
To: Johnson, Catherine M. <johnson.catherinem@epa.gov>
Subject: RE: Binder, Jonathan has shared 'Draft Final Letter to Tribes Re New Owner Audit Program Agrmt 6 5 18'

Great!

Good morning Catherine. Please let me know if you can access the letters now. Thanks

Open Draft Final Letter to Tribes Re New Owner Audit
Program Agrmt 6 5 18.docx

See more related to Binder, Jonathan in Delve.



Get the SharePoint mobile app!



Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 6/6/2018 4:54:55 PM
To: Kodish, Jeff [Kodish.Jeff@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Highpoint - penalty split with state PBI / Ex. 4

Thanks, Jeff –

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Kodish, Jeff
Sent: Wednesday, June 6, 2018 10:32 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Highpoint - penalty split with state PBI / Ex. 4

Confidential Business Information

Attorney-Client / Deliberative Process / Ex. 5 --- Confidential Business Information / Ex. 4

Attorney-Client / Deliberative Process / Ex. 5 --- PBI / Ex. 4

Jeffrey A. Kodish
Fuels Team Leader
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Enforcement Confidential: Attorney Work Product and / or Attorney Client Communications

From: Sullivan, Tim
Sent: Wednesday, June 6, 2018 10:24 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Kodish, Jeff <Kodish.Jeff@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint - penalty split with state **PBI / Ex. 4**

Apple:

Attorney-Client / Deliberative Process / Ex. 5

Chris and Dan are included on this reply with the slides.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple

Sent: Wednesday, June 6, 2018 6:11 AM

To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Kodish, Jeff <Kodish.Jeff@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: RE: Highpoint - penalty split with state [REDACTED] **PBI / Ex. 4**

Can you share the slides with Chris Williams and Dan Hoyt? **Attorney-Client / Deliberative Process / Ex. 5**

Attorney-Client / Deliberative Process / Ex. 5

Tim – your thoughts on this? Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [REDACTED] (mobile) | **Personal Phone / Ex. 6**

From: Sorrell, Virginia

Sent: Tuesday, June 05, 2018 8:33 PM

To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: RE: Highpoint - penalty split with state [REDACTED] **PBI / Ex. 4**

Jeff,

Thanks for sending the powerpoint. **Attorney-Client / Deliberative Process / Ex. 5**

Attorney-Client / Deliberative Process / Ex. 5

I'd love to see anything else they give you guys. **Attorney-Client / Deliberative Process / Ex. 5**
Attorney-Client / Deliberative Process / Ex. 5

Thanks,
Ginny

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

ED_002311A_00002029-00003

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Kodish, Jeff

Sent: Monday, June 4, 2018 9:44 AM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>

Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: Highpoint - penalty split with state **PBI / Ex. 4**

Confidential Business Information

Apple, Greg and Phill – I want to check in with you on a couple of issues in the Highpoint case.

Attorney-Client / Deliberative Process / Ex. 5 --- PBI / Ex. 4

Thanks

Jeffrey A. Kodish
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153

Fax: 303-312-6003

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Message

From: Kodish, Jeff [Kodish.Jeff@epa.gov]
Sent: 6/6/2018 4:31:43 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
Subject: RE: Highpoint - penalty split with state **PBI / Ex. 4**
Attachments: ZSTD-0010 ZAP TEMS PRD FIRST EDITION.PDF

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Attorney-Client / Deliberative Process / Ex. 5 --- PBI / Ex. 4

Jeffrey A. Kodish
Fuels Team Leader
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Enforcement Confidential: Attorney Work Product and / or Attorney Client Communications

From: Sullivan, Tim
Sent: Wednesday, June 6, 2018 10:24 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Kodish, Jeff <Kodish.Jeff@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint - penalty split with state and Tank Emissions Management System

Apple:

Attorney-Client / Deliberative Process / Ex. 5

Chris and Dan are included on this reply with the slides.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, June 6, 2018 6:11 AM
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Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint - penalty split with state

PBI / Ex. 4

Can you share the slides with Chris Williams and Dan Hoyt?

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Tim – your thoughts on this? Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | [Personal Phone / Ex. 6](#) (mobile) |

From: Sorrell, Virginia
Sent: Tuesday, June 05, 2018 8:33 PM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint - penalty split with state

PBI / Ex. 4

Jeff,

Thanks for sending the powerpoint.

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Thanks,
Ginny

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

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From: Kodish, Jeff
Sent: Monday, June 4, 2018 9:44 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Cc: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Highpoint - penalty split with state & PBI / Ex. 4

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Apple, Greg and Phill – I want to check in with you on a couple of issues in the Highpoint case.

Attorney-Client / Deliberative Process / Ex. 5 --- PBI / Ex. 4

Attorney-Client / Deliberative Process / Ex. 5 --- PBI / Ex. 4

Thanks

Jeffrey A. Kodish
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 6/1/2018 7:49:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Revised Qs&As
Attachments: OG New Owner Program - QsAs - Rev Draft_06.01.2018.docx

Importance: High

Apple:

The revised draft Qs&As are attached.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 6/1/2018 4:43:25 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: More recent Q&A document.

Deliberative Process / Ex. 5

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Porter, Amy
Sent: Friday, June 1, 2018 12:05 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: More recent Q&A document.

Thank you very much, Phil. I agree with your comments.

Amy

From: Milton, Philip
Sent: Friday, June 01, 2018 11:56 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: More recent Q&A document.

Agency Deliberative Process – Please do not release

Tim and Apple –

Thank you for the opportunity to review the Qs and As.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Sullivan, Tim

Sent: Thursday, May 31, 2018 8:49 PM

To: Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: RE: More recent Q&A document.

Importance: High

Phil: Please see Apple's note below seeking any comments on this Q&A document that was adapted from the 2008 New Owner Policy Q&A document you previously shared with us.

All: **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Finally, I will be out of pocket tomorrow morning for an appointment and then in a meeting through about 1 pm eastern. I probably will not be on email until about noon eastern. My cell is [Personal Phone / Ex. 6](#) if you need me before that.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Thursday, May 31, 2018 1:32 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Li, Angelica <li.angelica@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: More recent Q&A document.

Here are my comments on top of Jim's.

Phil, please let us know if you have any comments. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

I am adding **Angelica Li** to this message. She is a summer law clerk that will be working with us on this project so please try to remember to include her on all future correspondence.

I will send these Q&As to Patrick for his review tomorrow. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

If you have any additional names of folks that you think should be included on the initial email from Patrick, please pass them along before tomorrow.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) **Personal Phone / Ex. 6** (mobile) |

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 1:57 PM
To: Kenney, James <Kenney.James@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.

Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Kenney, James
Sent: Thursday, May 31, 2018 11:19 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: More recent Q&A document.

Hi Tim –
Some thoughts included in the attached for your consideration.
Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Sullivan, Tim
Sent: Wednesday, May 30, 2018 1:53 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

comment as you see fit.

Please review and

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Chapman, Apple

Sent: Friday, May 25, 2018 8:08 AM

To: Milton, Philip <Milton.Philip@epa.gov>

Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>

Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement

Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: OKeefe, Susan

Sent: Thursday, May 24, 2018 2:01 PM

To: Milton, Philip <Milton.Philip@epa.gov>

Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>

Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Chapman, Apple" <Chapman.Apple@epa.gov>
Date: May 23, 2018 at 3:35:53 PM EDT
To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6
(mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S.
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) Personal Phone / Ex. 6 (mobile)

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I have a medical appointment and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | [Personal Phone / Ex. 6](#) | (mobile) |

<Questions and Answers on Second FR July 31.doc>

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 6/1/2018 4:15:28 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Sullivan, Tim has shared 'OG New Owner Program - QsAs - Rev Draft_05.31.2018'
Attachments: OG New Owner Program - QsAs - Rev Draft_06.1.2018.docx

So, the document Phil attached to his email is the version to work in - I have attached that document here.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Friday, June 1, 2018 10:13 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Sullivan, Tim has shared 'OG New Owner Program - QsAs - Rev Draft_05.31.2018'

No. Sorry – I thought sharing OneDrive link would give everyone access. Apparently, you needed to do more than just copy the link. Yay, technology – I'll fax the draft (joking).

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Friday, June 1, 2018 10:09 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>
Subject: RE: Sullivan, Tim has shared 'OG New Owner Program - QsAs - Rev Draft_05.31.2018'

Does this version include Phil Milton's comments? It doesn't look like it.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 mobile) |

From: Sullivan, Tim [mailto:no-reply@sharepointonline.com]
Sent: Friday, June 01, 2018 11:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Sullivan, Tim has shared 'OG New Owner Program - QsAs - Rev Draft_05.31.2018'

Apparently the web link didn't work - re-granting access.

Open OG New Owner Program - QsAs - Rev
Draft_05.31.2018.docx

See more related to Sullivan, Tim in Delve.



Get the SharePoint mobile app!



Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 6/1/2018 3:56:10 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: More recent Q&A document.
Attachments: OG New Owner Program - QsAs - Rev Draft_06.1.2018.docx; Use of Low Inspection priority in Audit Agreements/Programs

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Tim and Apple –

Thank you for the opportunity to review the Qs and As. I have made a redline/strikeout annotated version. I was unable to save on the one drive (or at least unable to save with the new name).

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 8:49 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.
Importance: High

Phil: **Deliberative Process / Ex. 5**

All: **Deliberative Process / Ex. 5**

Finally, I will be out of pocket tomorrow morning for an appointment and then in a meeting through about 1 pm eastern. I probably will not be on email until about noon eastern. My cell is **Personal Phone / Ex. 6** if you need me before that.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Sent: Thursday, May 31, 2018 1:32 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Li, Angelica <li.angelica@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: More recent Q&A document.

Here are my comments on top of Jim's.

Phil, please let us know if you have any comments.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I am adding **Angelica Li** to this message. She is a summer law clerk that will be working with us on this project so please try to remember to include her on all future correspondence.

I will send these Q&As to Patrick for his review tomorrow.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any additional names of folks that you think should be included on the initial email from Patrick, please pass them along before tomorrow.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Thursday, May 31, 2018 1:57 PM
To: Kenney, James <Kenney.James@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: More recent Q&A document.

Thanks for the input, Jim – very helpful.

Deliberative Process / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Sent: Thursday, May 31, 2018 11:19 AM

To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>

Subject: RE: More recent Q&A document.

Hi Tim –

Some thoughts included in the attached for your consideration.

Thanks,

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: Sullivan, Tim

Sent: Wednesday, May 30, 2018 1:53 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: FW: More recent Q&A document.

Apple and Jim:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

please review and
comment as you see fit.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Chapman, Apple

Sent: Friday, May 25, 2018 8:08 AM

To: Milton, Philip <Milton.Philip@epa.gov>

Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>

Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

I would be happy to review any that you develop for the New Owner CAA Audit Program.

V/r

Phil

Philip L. Milton

Chemical Engineer | U.S. Environmental Protection Agency

Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch

1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460

From: OKeefe, Susan
Sent: Thursday, May 24, 2018 2:01 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Chapman, Apple" <Chapman.Apple@epa.gov>
Date: May 23, 2018 at 3:35:53 PM EDT
To: "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jones, Gary" <Jones.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6
(mobile) |

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jones, Gary <Jones.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666
(office) **Personal Phone / Ex. 6** (mobile)

From: OKeefe, Susan

Sent: Wednesday, May 23, 2018 1:05 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>

Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I **Personal Matters / Ex. 6** won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement
Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-
564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

<Questions and Answers on Second FR July 31.doc>

Message

From: Theis, Joseph [Theis.Joseph@epa.gov]
Sent: 5/21/2018 3:45:44 PM
To: OECA-OCE-MANAGERS [OECAOCEMANAGERS@epa.gov]
CC: Johnson, Catherine M. [johnson.catherinem@epa.gov]
Subject: OCE List of Pending Items
Attachments: Copy of Copy of Copy of OCE Status 05 21 2018.xlsx

All,

As discussed at the OCE Manager's meeting, attached is an Excel spreadsheet tracking items that Susan Bodine has approved either at the OCE weekly or by separate e-mail. Please check items for your Division, and provide any corrections to Catherine by the end of this week so she can update.

Thanks,

- Joe

Joseph G. Theis
Acting Deputy Director
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. EPA (2243A)
1200 Pennsylvania Ave, NW
Washington, D.C. 20460
(202)564-4053

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Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/21/2018 2:57:06 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: RE: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Will do.

SOK

From: Chapman, Apple
Sent: Monday, May 21, 2018 10:06 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: FW: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Please review and provide comments on the letter.

Susan, please keep Tim and Chris in the loop. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: OKeefe, Susan
Sent: Friday, May 18, 2018 7:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Apple and Jim – Just before the OCE General yesterday, I was asked to attend the general because Susan B wanted to discuss the issue of tribal outreach on the Draft O&G New Owner Audit Program Agreement.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Attached for your review and comment is a first draft of the letter that would go to the tribal leaders. Please review and provide additional information on the program, as suggested in the draft, to be included in the second paragraph. It would be great if you can get me your revisions by 2:00 or so on Monday so we can get a draft to Rosemarie by COB. We then can shoot to get a revised draft letter to Susan B, et al. by Tuesday or Wed. With a little luck and not much more work, the letters can go out by the end of next week.

I hope you had a good meeting in Philly, Apply, and that both of you have a great weekend (even though it's supposed to continue raining in our area).

Susan

*Susan E. O'Keefe, Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4021
okeefe.susan@epa.gov*



Requester Information

Requester	Mr. Mike Soraghan	Tracking Number	EPA-HQ-2018-009360
Organization	E&E News	Submitted Date	07/09/2018
Requester Has Account	No	Received Date	07/09/2018
Email Address	Personal Email / Ex. 6	Perfected Date	07/13/2018
Phone Number	Personal Phone / Ex. 6	Last Assigned Date	07/09/2018
Fax Number		Assigned To	Cassandra Barnes (Office of Civil Enforcement)
Address	801 N. Trade St.	Last Assigned By	Daneshia Reid (Office of Civil Enforcement)
City	Winston-Salem	Request Track	Simple
State/Province	NC	Fee Limit	\$25.00
Zip Code/Postal Code	27101		

Request Handling

Request Info Available to the Public?	No	Request Type	FOIA
Request Track	Simple	Request Perfected	Yes
Fee Category	Media	Perfected Date	07/13/2018
Fee Waiver Requested	Yes	Acknowledgement Sent Date	07/13/2018
Fee Waiver Status	Full Grant	Unusual Circumstances	No
Expedited Processing Requested	No	Litigation	No
Expedited Processing Status		Court Docket Number	
		5 Day Notifications?	No

Description

Long Description	I request all comments submitted to EPA in 2018 concerning the draft New Owner Clean Air Act Audit agreement.
Has Description Been Modified?	No
Description Available to the Public?	No
Short Description	

Additional Information

Attached Supporting Files

Attachments Available to the Public?
Yes

Attached File Name	Size (MB)	File Type
--------------------	-----------	-----------

No supporting files have been uploaded.

Message

From: Kodish, Jeff [Kodish.Jeff@epa.gov]
Sent: 8/27/2018 11:06:20 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: Highpoint settlement

I won't be able to make tomorrow's AED General.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Do you want me to see if Jess can join the AED General tomorrow to talk to Rosemarie about HighPoint?

Personal Matters / Ex. 6

Personal Matters / Ex. 6

I could also check in with Jess about Thursday's meeting. Would it be ok to punt until next week?

Thanks

Jeff

PS – we have a call with Highpoint tomorrow afternoon.

Attorney-Client / Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Monday, August 27, 2018 4:12 PM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: Highpoint settlement

We are briefing Rosemarie tomorrow at the AED general. I think you should join.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I think we were hoping to brief her on Thursday but only if you can get the paper ready in time. Let me know.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | **Personal Phone / Ex. 6** | (mobile) |

From: Kodish, Jeff
Sent: Monday, August 27, 2018 5:59 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: Highpoint settlement

Apple and Greg – **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Thanks

Jeffrey A. Kodish
Fuels Team Leader
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Enforcement Confidential: Attorney Work Product and / or Attorney Client Communications

From: Chapman, Apple
Sent: Thursday, August 23, 2018 9:24 AM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint settlement

Jeff,
Thanks. Really great job.

Attorney-Client / Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

ED_002311A_00002054-00002

From: Kodish, Jeff

Sent: Wednesday, August 22, 2018 7:42 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: Highpoint settlement

Apple, Greg and Phill – **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Thanks, and please let us know if you have any questions.

PS – **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Jeffrey A. Kodish
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Message

From: Kodish, Jeff [Kodish.Jeff@epa.gov]
Sent: 8/27/2018 9:59:04 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: Highpoint settlement

Apple and Greg – **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Thanks

Jeffrey A. Kodish
Fuels Team Leader
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Enforcement Confidential: Attorney Work Product and / or Attorney Client Communications

From: Chapman, Apple
Sent: Thursday, August 23, 2018 9:24 AM
To: Kodish, Jeff <Kodish.Jeff@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Highpoint settlement

Jeff,
Thanks. Really great job.

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Kodish, Jeff
Sent: Wednesday, August 22, 2018 7:42 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Highpoint settlement

Apple, Greg and Phill — **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Thanks, and please let us know if you have any questions.

PS - **Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5**

Deliberative Process / Attorney Client / Attorney Work Product / Ex. 5

Jeffrey A. Kodish
Attorney-Adviser
OECA/AED/Western Field Office (8MSU)
1595 Wynkoop Street
Denver, Colorado 80202

Tel: 303-312-7153
Fax: 303-312-6003

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/27/2018 6:39:15 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Draft API Presentation for Mgmt Review
Attachments: DRAFT API Presentation 8_23_2018_rev6.pdf

All:

I reviewed the revised draft presentation Chris circulated last week and I think it looks good. I have a handful of suggested minor edits Attorney-Client / Deliberative Process / Ex. 5 and two comments.

Attorney-Client / Deliberative Process / Ex. 5

I am happy to revise the current draft on the G: Drive if folks would like. But, I am unsure who has the pen at the moment and what the timing is on finalizing the draft and sending it up for review.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Williams, Christopher
Sent: Thursday, August 23, 2018 1:58 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>

Subject: RE: Draft API Presentation for Mgmt Review

Based on our discussion with Phill, we have update the Draft Presentation. I have attached a PDF of the recent version and placed the PowerPoint file on the G: drive at:

Internal File Address / Ex. 6

Chris

From: Williams, Christopher

Sent: Friday, August 10, 2018 4:23 PM

To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>

Subject: Draft API Presentation for Mgmt Review

Afternoon Apple and Greg,

Please see the G drive location below to review the updated Draft API presentation that Dan, Tim and I put together. We believe it is ready for management review and to be sent to Phil Milton for feedback.

Internal File Address / Ex. 6

I have also attached a PDF version of the presentation if anyone has issues accessing the G drive. As a side note, I tried to put the draft on OneDrive, however, the videos were not working so I opted to put everything on the G drive.

Let us know if you have any comments or questions.

Thanks,

Chris

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/21/2018 2:11:24 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Sorry for the typo! I just saw that I called you "Apply"! Sigh....

SOK

From: Chapman, Apple
Sent: Monday, May 21, 2018 10:06 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: FW: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Please review and provide comments on the letter.

Susan, please keep Tim and Chris in the loop. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: OKeefe, Susan
Sent: Friday, May 18, 2018 7:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas

Apple and Jim – Just before the OCE General yesterday, I was asked to attend the general because Susan B wanted to [Deliberative Process / Ex. 5] After reviewing all of the options, Susan B, Patrick and Larry agreed we should proceed as follows:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Attached for your review and comment is a first draft of the letter that would go to the tribal leaders. Please review and provide additional information on the program, as suggested in the draft, to be included in the second paragraph. It would be great if you can get me your revisions by 2:00 or so on Monday so we can get a draft to Rosemarie by COB. We then can shoot to get a revised draft letter to Susan B, et al. by Tuesday or Wed. With a little luck and not much more work, the letters can go out by the end of next week.

I hope you had a good meeting in Philly, Apply, and that both of you have a great weekend (even though it's supposed to continue raining in our area).

Susan

*Susan E. O'Keefe, Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4021
okeefe.susan@epa.gov*



Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/21/2018 2:00:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: Hold for stakeholder meetings oil and gas audit program
Location: TBD

Start: 6/7/2018 4:00:00 AM
End: 6/8/2018 4:00:00 AM
Show Time As: Busy

Appointment

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/21/2018 1:59:47 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]

Subject: Accepted: Hold for stakeholder meetings oil and gas audit program
Location: TBD

Start: 6/6/2018 4:00:00 AM
End: 6/7/2018 4:00:00 AM
Show Time As: Busy

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 5/21/2018 1:17:15 PM
To: Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: Brief description of a tank vapor control system design evaluation, for oil and gas production sites
Attachments: draft self audit to address design issues 5 17 2018 clean.docx

Phill/Apple,

This is our draft summary of the steps that should be taken to evaluate design. See Patrick's email from this morning. Do you want to pass this along?

Greg

From: Hoyt, Daniel
Sent: Friday, May 18, 2018 4:29 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: Brief description of a tank vapor control system design evaluation, for oil and gas production sites

Greg,
Here's the clean revised version that reflects input from you, Tim and Chris.
Dan

Daniel Hoyt, Environmental Engineer
US Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office of Civil Enforcement - Air Enforcement Division
(202) 564-7898
1200 Pennsylvania Ave, NW
WJC-S, MC 2242A
Washington, DC 20460 (mail) or 20004 (courier)

From: Sullivan, Tim
Sent: Wednesday, May 16, 2018 7:02 PM
To: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Brief description of a tank vapor control system design evaluation, for oil and gas production sites

Thanks, Dan.

One minor comment: **Attorney-Client / Deliberative Process / Ex. 5**

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement

Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Hoyt, Daniel
Sent: Wednesday, May 16, 2018 9:28 AM
To: Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: Brief description of a tank vapor control system design evaluation, for oil and gas production sites

Ginny and Tim,

Attorney-Client / Deliberative Process / Ex. 5

Please take a look at the attached draft document and let me know if you have any comments, questions or suggested edits.

Thanks,

Dan

Daniel Hoyt, Environmental Engineer
US Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office of Civil Enforcement - Air Enforcement Division
(202) 564-7898
1200 Pennsylvania Ave, NW
WJC-S, MC 2242A
Washington, DC 20460 (mail) or 20004 (courier)

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/19/2018 1:36:16 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Re: Draft email

Sounds good. I'm only in Monday and Tuesday next week. Happy to help out before we head out of town.

Thanks,
Jim

Sent from my iPhone

On May 19, 2018, at 7:32 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Thanks to you both. Can we talk Monday about the Q&As?

Sent from my iPhone

On May 18, 2018, at 11:50 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

My initial edits are included below – blue for additions and ~~double-strikethrough~~ for deletions. Please let me know if we need the Qs&As ASAP – otherwise, I will start those first thing Monday.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Kenney, James
Sent: Friday, May 18, 2018 5:45 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Draft email

Check out my edits...

Thanks,

Jim

--

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple

Sent: Friday, May 18, 2018 2:22 PM

To: Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>

Subject: Draft email

Please let me know your thoughts. Thanks.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6
(mobile)|

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/18/2018 11:44:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Draft email

Check out my edits...

Thanks,
Jim

--

Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Friday, May 18, 2018 2:22 PM
To: Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Draft email

Please let me know your thoughts. Thanks.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 9/4/2018 9:28:19 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Agenda and materials for tomorrow AED weekly

Okay – thanks.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Tuesday, September 4, 2018 3:27 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: Agenda and materials for tomorrow AED weekly

There isn't a call in number yet. We will see if anyone else is participating by phone and if not, we will call you directly.

Sent from my iPhone

On Sep 4, 2018, at 5:26 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

I am available so I will call in.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Thank you.

From: Chapman, Apple
Sent: Tuesday, September 4, 2018 3:25 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: Agenda and materials for tomorrow AED weekly

Only if your available. It's 11am tomorrow.

Sent from my iPhone

On Sep 4, 2018, at 5:22 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

Hi, Apple.

Do I need to call in for this tomorrow?

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Tuesday, September 4, 2018 2:36 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim

<Sullivan.Tim@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>; Loving, Shanita
<Loving.Shanita@epa.gov>; Belser, Evan <Belser.Evan@epa.gov>; Brooks, Phillip
<Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Miller, Anthony
<Miller.Anthony@epa.gov>; Stahle, Susan <Stahle.Susan@epa.gov>

Subject: Agenda and materials for tomorrow AED weekly

Patrick

Attached are the materials and agenda for our meeting tomorrow. Welcome back.
Hope you had a great vacation!

Deliberative Process / Ex. 5 --- Enforcement Sensitive / Ex. 7(a)

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection
Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6
(mobile)|

Message

From: Stahle, Susan [Stahle.Susan@epa.gov]
Sent: 9/4/2018 8:46:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Agenda and materials for tomorrow AED weekly

Thanks Apple. I don't have this meeting on my calendar. Would you mind forwarding the invite? Thanks.

Susan Stahle
Air and Radiation Law Office
Office of General Counsel
U.S. Environmental Protection Agency
WJCN-7502B
202-564-1272

From: Chapman, Apple
Sent: Tuesday, September 4, 2018 4:36 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>; Loving, Shanita <Loving.Shanita@epa.gov>; Belser, Evan <Belser.Evan@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Miller, Anthony <Miller.Anthony@epa.gov>; Stahle, Susan <Stahle.Susan@epa.gov>
Subject: Agenda and materials for tomorrow AED weekly

Patrick

Attached are the materials and agenda for our meeting tomorrow. Welcome back. Hope you had a great vacation!

Deliberative Process / Ex. 5 --- Enforcement Sensitive / Ex. 7(a)

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Robert Bleil [rbleil@utahgascorp.com]
Sent: 8/30/2018 1:58:02 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Status of Draft Audit Program for Oil and Gas Upstream facilities
Attachments: ATT00001.txt

Ms. Chapman,

Thank you for your very prompt response and update. This is extremely helpful as we are considering additional acquisitions.

Kind Regards,

Rob

Robert Bleil
Regulatory Manager
1125 Escalante Drive
Rangely, CO 81648

rbleil@utahgascorp.com

office: Personal Phone / Ex. 6
cell: Personal Phone / Ex. 6



From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, August 30, 2018 7:47 AM
To: Robert Bleil <rbleil@utahgascorp.com>
Cc: Sullivan, Tim <>
Subject: RE: Status of Draft Audit Program for Oil and Gas Upstream facilities

Rob,

We expect the program and bi-lateral agreement to be finalized sometime in late October, but currently it is still in draft. The program is a federal program and separate from any state audit privilege and immunity laws that may be applicable but that doesn't mean EPA can't coordinate with a state where a new owner is interested in conducting an audit of newly acquired facilities. In such a case, it would be up to the company to request EPA work and coordinate with the state. As you may be aware, EPA has an existing New Owner Audit Policy that became effective in 2008.

You can find information about the existing New Owner Audit Policy here:

<https://www.epa.gov/compliance/epas-interim-approach-applying-audit-policy-new-owners>

This 2008 policy is separate from the program we are developing and that will be available only to oil and natural gas exploration and production facilities. If an oil and gas production company is interested in talking to

EPA about a self-disclosure before we finalize the policy nothing would prevent us from applying the principles of the proposed program to that particular self-disclosure.

I hope this helps. If you have additional questions please don't hesitate to contact me or Tim Sullivan (copied).

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Robert Bleil [mailto:rbleil@utahgascorp.com]

Sent: Thursday, August 30, 2018 9:18 AM

To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Robert Bleil <rbleil@utahgascorp.com>

Subject: Status of Draft Audit Program for Oil and Gas Upstream facilities

Importance: High

Utah Gas Corp operates wells in NW Colorado and is inquiring as to the status of the program and draft agreement. Also, is the CDPHE Air Pollution Control Division participating in this program regarding new acquisitions.

Thank You,

Rob

Robert Bleil
Regulatory Manager
1125 Escalante Drive
Rangely, CO 81648

rbleil@utahgascorp.com

office: [Personal Phone / Ex. 6]

cell: [Personal Phone / Ex. 6]



Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/17/2018 2:22:42 PM
To: Kenney, James [Kenney.James@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: Fwd: Tribal Outreach on O&G audit program
Attachments: Tribal Consultation Policy May 2011.pdf; ATT00001.htm; OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf; ATT00002.htm; Issue Paper on Tribal Input on Draft O&G New Owner Audit Agreement May 16 2018.docx; ATT00003.htm

Rosemarie just sent this.

SOK

Sent from my iPhone

Begin forwarded message:

From: "Kelley, Rosemarie" <Kelley.Rosemarie@epa.gov>
Date: May 17, 2018 at 10:13:03 AM EDT
To: "Bodine, Susan" <bodine.susan@epa.gov>
Cc: "Starfield, Lawrence" <Starfield.Lawrence@epa.gov>, "Traylor, Patrick" <traylor.patrick@epa.gov>, "Theis, Joseph" <Theis.Joseph@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Chapman, Apple" <Chapman.Apple@epa.gov>, "Brooks, Phillip" <Brooks.Phillip@epa.gov>
Subject: Tribal Outreach on O&G audit program

Susan—

Attorney-Client / Deliberative Process / Ex. 5

Attorney-Client / Deliberative Process / Ex. 5

Rosemarie

Message

From: Sarah A. Bartlett [Sarah.Bartlett@pdce.com]
Sent: 6/28/2018 1:34:13 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: [EXTERNAL] :RE: Oil and Natural Gas Program Registration

Hi Apple,

Sorry for the delay. I will be participating in the morning session only.

Sarah Bartlett
EHS Manager
Sarah.Bartlett@pdce.com
(O) Personal Phone / Ex. 6
(C)

----- Original message -----

From: "Chapman, Apple" <Chapman.Apple@epa.gov>
Date: 6/27/18 11:33 AM (GMT-07:00)
To: "Sarah A. Bartlett" <Sarah.Bartlett@pdce.com>
Subject: [EXTERNAL] :RE: Oil and Natural Gas Program Registration

Sarah,
Are you planning to call in for the morning (early for you, I know) or the afternoon session. Please confirm.
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6

From: Sarah A. Bartlett [mailto:Sarah.Bartlett@pdce.com]
Sent: Tuesday, June 05, 2018 4:31 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Oil and Natural Gas Program Registration

Apple,

I would like to RSVP for the public meeting regarding the draft audit program for new owner O&G E&P facilities. I plan to participate via teleconference.

Thanks.



Sarah Bartlett
Sr. EHS Manager
1775 Sherman Street, Suite 3000
Denver, CO 80203

sarah.bartlett@pdce.com

Office: (303) 860-5800

Direct:

Mobile:

Personal Phone / Ex. 6

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/1/2018 9:22:32 PM
To: Loving, Shanita [Loving.Shanita@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Meeting for Patrick's Calendar
Attachments: Stakeholder Meeting Follow-Up - API; FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Shanita:

We are in the process of rescheduling the attached meeting with Patrick that was originally scheduled for next Tuesday, August 7th. We will let you and Patrick know once we have finalized a new meeting date and time.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Monday, July 30, 2018 4:09 PM
To: Loving, Shanita <Loving.Shanita@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Meeting for Patrick's Calendar

Shanita:

Can you please add the attached meeting with API on August 7th to Patrick's calendar? In the attached email, Patrick seemed to indicate that he planned to attend the meeting.

Please contact us with any questions or if you or Patrick require additional information.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Patefield, Scott [Patefield.Scott@epa.gov]
Sent: 8/30/2018 1:20:30 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Talking points

Thanks, Apple

Sent from my iPhone

On Aug 29, 2018, at 3:25 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Attorney-Client / Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

From: Patefield, Scott
Sent: Wednesday, August 29, 2018 5:20 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Talking points

Hi Apple,

Attorney-Client / Deliberative Process / Ex. 5

Thanks,
Scott

From: Chapman, Apple
Sent: Tuesday, August 21, 2018 1:38 PM
To: Patefield, Scott <Patefield.Scott@epa.gov>
Subject: Talking points

They were in a couple of different documents, including hand written talking points that Patrick put together so I tried to put everything together in one place. Let me know if you think you need more information.

Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) [Personal Phone / Ex. 6] (mobile) |

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 12/19/2018 10:10:48 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Revised Cover Memo Attachment
Attachments: OG New Owner Program - Cover Memo Attachment - Draft_v2.docx

Apple:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Finally, this

version also includes Chris and Dan's changes.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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<http://www.epa.gov/compliance/complaints/index.html>

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Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/16/2018 9:50:13 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
CC: Theis, Joseph [Theis.Joseph@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]
Subject: Draft Email + Issue Paper to Send to Susan B, Patrick and Larry on Tribal Outreach
Attachments: Tribal Consultation Policy May 2011.pdf; OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf; Issue Paper on Tribal Input on Draft O&G New Owner Audit Agreement May 16 2018.docx

Rosemarie – Here is a proposed email with an attached issue/options paper on tribal outreach on the Draft Agreement for the New Owner Audit Program for O&G. In addition, attached are copies of the 2011 Consultation Policy and the Consultation Decision Framework for OECA Policies and Guidance issued by Larry Starfield in 2013.

Deliberative Process / Ex. 5

Thanks to all for your great comments. Please let us know if you would like revisions or if you have any questions/concerns.

Thanks,
SOK

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/11/2018 4:01:43 PM
To: Johnson, Catherine M. [johnson.catherinem@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: Letters

Good morning Catherine,

Per our discussion, I offer the following on the emails

The mail should say

Deliberative Process / Ex. 5

○ **Deliberative Process / Ex. 5**

• **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/16/2018 5:01:19 PM
To: Kenney, James [Kenney.James@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Great comments.

Deliberative Process / Ex. 5

From: Kenney, James
Sent: Wednesday, May 16, 2018 11:00 AM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Thanks Susan. My comments are in red below.

Deliberative Process / Ex. 5

Thanks,

Jim

--

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: OKeefe, Susan
Sent: Tuesday, May 15, 2018 9:13 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Reply to this version:

Please review the draft email below and get me any comments you may have by 11:30 am tomorrow. Let me know if you need more time.

Susan

Susan E. O'Keefe, Senior Counsel

Crosscutting Policy Staff

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

202-564-4021

okeefe.susan@epa.gov

DRAFT EMAIL TO BE SENT FROM ROSEMARIE TO SUSAN B, PATRICK AND LARRY

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<Tribal Consultation Policy May 2011.pdf>

<OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf>

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/16/2018 4:59:22 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Binder, Jonathan [Binder.Jonathan@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Thanks, Gary!

From: Jonesi, Gary
Sent: Wednesday, May 16, 2018 10:39 AM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

See my comments in green below.

--Gary



Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)

Personal Phone / Ex. 6 (cell)

jonesi.gary@epa.gov

From: OKeefe, Susan
Sent: Wednesday, May 16, 2018 10:23 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Re: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

I'm glad you will be able to review. It's fine if you need another hour.

Sent from my iPhone

On May 16, 2018, at 9:21 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

I won't be able to review this until the lunch break today. It will be after 11:30 but probably before 12:30.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: OKeefe, Susan

Sent: Tuesday, May 15, 2018 11:13 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>;
Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Kenney, James
<Kenney.James@epa.gov>

Subject: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Reply to this version:

Please review the draft email below and get me any comments you may have by 11:30 am tomorrow. Let me know if you need more time.

Susan

Susan E. O'Keefe, Senior Counsel

Crosscutting Policy Staff

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

202-564-4021

okeefe.susan@epa.gov

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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<Tribal Consultation Policy May 2011.pdf>

<OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf>

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/16/2018 4:55:58 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: OKeefe, Susan [OKeefe.Susan@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Ok. Thanks for the clarification

From: Chapman, Apple
Sent: Wednesday, May 16, 2018 12:55 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Re: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Deliberative Process / Ex. 5

Sent from my iPhone

B

On May 16, 2018, at 12:11 PM, Binder, Jonathan <Binder.Jonathan@epa.gov> wrote:

Hi Apple.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 16, 2018 11:27 AM
To: Kenney, James <Kenney.James@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

I agree with Jim's redline. I don't have additional line edits but I do have a couple of questions.
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Kenney, James
Sent: Wednesday, May 16, 2018 11:00 AM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Thanks Susan. My comments are in red below.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,

Jim

--

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: OKeefe, Susan

Sent: Tuesday, May 15, 2018 9:13 PM

To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>;
Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Kenney, James
<Kenney.James@epa.gov>

Subject: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Reply to this version:

Please review the draft email below and get me any comments you may have by 11:30 am tomorrow. Let me know if you need more time.

Susan

Susan E. O'Keefe, Senior Counsel

Crosscutting Policy Staff

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

202-564-4021

okeefe.susan@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<Tribal Consultation Policy May 2011.pdf>

<OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf>

From: argentieri.sabrina [email_this@eenews.net]
Sent: 6/11/2018 3:27:29 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Palermo, Mark [palermo.mark@epa.gov]
Subject: From Energywire -- ENFORCEMENT: Trump's EPA turns to less punitive responses to pollution

Energywire -- The Transformation of the Energy Sector

This Energywire story was sent to you by: argentieri.sabrina@epa.gov

ENERGYWIRE

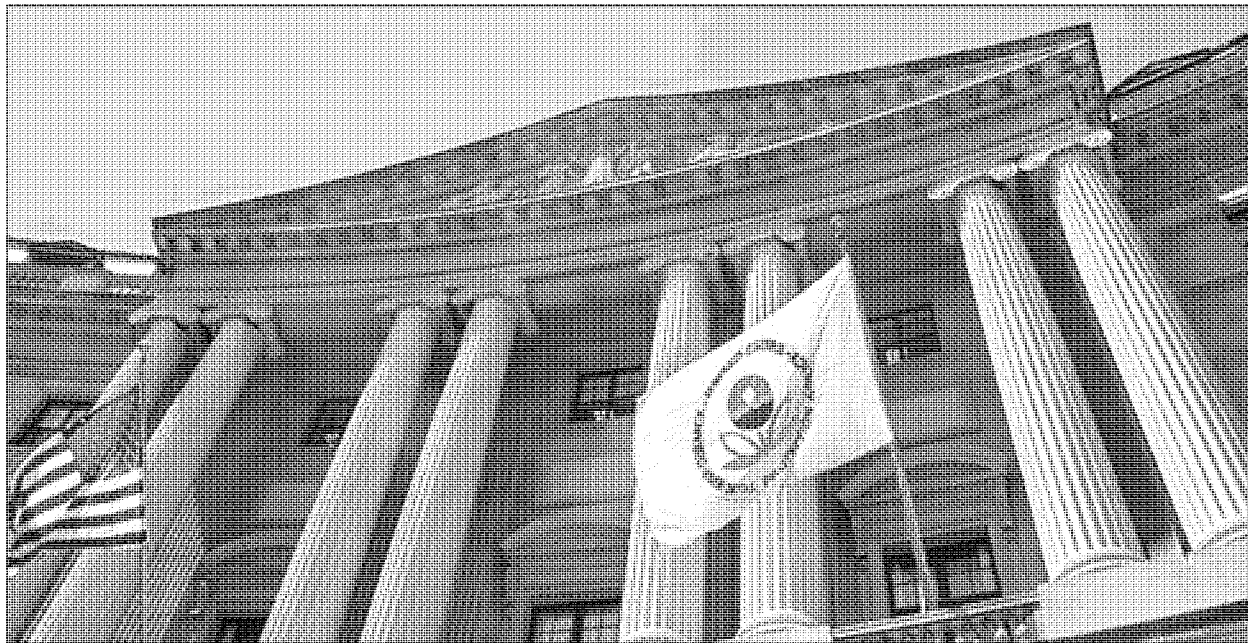
AN E&E NEWS PUBLICATION

ENFORCEMENT

Trump's EPA turns to less punitive responses to pollution

Mike Soraghan, E&E News reporter

Published: Monday, June 11, 2018



EPA is making changes to its enforcement program. Natural Resources Defense Council/Flickr

Trump administration officials at EPA are changing the agency's top enforcement program into a "compliance initiative" that will emphasize less punitive responses to pollution by companies.

The plan is to give state governments more authority in setting priorities for enforcement programs, according to a memo obtained by E&E News. Officials also want to remove from the priority-setting

process considerations about consistency and using penalties to maintain a "level playing field" for companies.

The changes have sparked fear among some inside the agency that the administration wants to substantially weaken enforcement. Eric Schaeffer, former director of civil enforcement at EPA, said the agency might wind up backing away from big national pollution problems.

"I'm worried we might end up with priorities that are not really national-level priorities," said Schaeffer, now director of the Environmental Integrity Project. "There's national corporate stuff that only EPA can do."



Susan Bodine, EPA

The oil and gas industry has bitterly complained about some of the enforcement campaigns launched after the Obama administration made "energy extraction" an enforcement priority.

According to the memo obtained by E&E News, the agency's "National Enforcement Initiatives" would become "National Compliance Initiatives," or "NCIs." The agency is planning to kick off a state engagement process this summer and have final strategies developed by the fall of 2019.

EPA uses National Enforcement Initiatives to set priorities for the agency's enforcement work. Managers are expected to devote a certain portion of their money and resources to inspections of targeted industries. When enforcement staffers do inspections, they note on their report whether it is part of a national initiative.

The plan is being shepherded by the agency's enforcement chief, Assistant Administrator Susan Bodine. E&E sent an email to Bodine on Friday asking about the changes to the program. An EPA spokesman responded with a statement: "The process for developing national priorities for the 2020-2022 cycle will begin shortly and will be informed by discussions with states."

Internally, officials are saying they think the changes will increase compliance and reduce the time it takes to get violations corrected after they're found.

"While enforcement cases have been the most visible tool used in the past, the NCIs will use, as appropriate, an integrated strategy that incorporates other tools, such as compliance advisories, voluntary self-audits, and engagement with industry trade associations," the memo states. "EPA will strive to make the use of these non-enforcement case tools more public."

The move comes amid other efforts at the agency to present a friendlier face to industries, including oil and gas. Bodine is expanding to the industry a program that waives or reduces penalties for companies that self-report air emissions violations (*Energywire*, May 7). EPA will be holding "stakeholder meetings" on the "self-audit" proposal on June 27-28. The agency is hoping to finish the process by September.

Inspections of "energy extraction" sites dropped by one-third in EPA Administrator Scott Pruitt's first fiscal year, according to EPA's website. But the number of concluded cases rose slightly.

President Trump has called for increasing domestic energy production in the interests of "energy dominance." Pruitt was closely aligned with the oil and gas industry, along with other fossil fuel interests, when he was Oklahoma's attorney general.

Shortly after he took over at EPA, state oil and gas associations complained to Pruitt that the Obama administration had been too aggressive on enforcement, particularly in the Rocky Mountain West. In response, he promised them a roundtable meeting with top staff ([*Energywire*](#), Jan. 17). The meeting was held in February ([*Energywire*](#), Feb. 20).

The enforcement campaign that sparked those complaints stemmed from the enforcement initiative targeting "energy extraction." EPA found that oil producers in North Dakota and Colorado were allowing storage tanks at their well sites to emit methane and volatile organic compounds. Those emissions can contain benzene and contribute to smog.

EPA also pursued criminal charges against gas drillers that damaged wetlands in the Marcellus Shale and pressed state officials to do more monitoring of Marcellus Shale drilling wastewater. In April, EPA reached a settlement with MarkWest Energy Partners LP to reduce emissions from pipeline facilities in Pennsylvania.

Compliance vs. enforcement

The EPA memo acknowledges that the enforcement program has had significant accomplishments, that previous administrations have also focused on compliance and that enforcement actions are sometimes needed.

But it also says the enforcement initiatives "are sometimes misunderstood as involving only enforcement actions."

A key element of enforcement is levying fines or requiring expensive fixes that ensure that a company does not gain a competitive advantage by breaking the rules. In compliance, the focus is on getting the violator to fix the problem.

Compliance can mean informal enforcement actions, compliance assistance websites, inspector training and better coordination among state agencies. Agencies can also work with trade associations, insurance companies and others to increase awareness of problems and create incentives for fixing problems.

Schaeffer said letting states set the priorities for EPA would make significant changes, quite possibly for the worse.

Some states are unwilling to support strong enforcement against refineries and other large energy facilities, he said. But beyond power politics, he said state agencies are just less likely to look at the broad, national picture.

"States have always had input," Schaeffer said. "What they haven't had is veto power."

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The logo for E&E News, featuring the letters "E&E" in a bold, sans-serif font, followed by the word "NEWS" in a lighter, all-caps, sans-serif font.

E&E News

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Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/19/2018 4:16:40 PM
To: Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Deliberative Process / Ex. 5

Thanks, Phil. Glad to know you will be on.

Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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From: Milton, Philip
Sent: Wednesday, December 19, 2018 11:12 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

I intend to call in... I did not plan to speak, will that be expected?

Philip L. Milton
Chemical Engineer | U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance | Office of Civil Enforcement | Waste and Chemical Enforcement Division | Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW | Mail Code: 2249A | WJC South Bldg Rm 3124-B | Washington, DC 20460
Milton.philip@epa.gov | phone: 202-564-5029 | fax: 202-564-0010

From: Mia, Marcia
Sent: Wednesday, December 19, 2018 11:07 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Amy and Phil
Could you pls confirm that one of you will be in attendance? Thanks – sorry for not checking in sooner.

Marcia B Mia
Air Branch

Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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From: Chapman, Apple
Sent: Wednesday, December 19, 2018 11:05 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Mia, Marcia
Sent: Wednesday, December 19, 2018 11:01 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call
Importance: High

Apple,

Deliberative Process / Ex. 5

In case it comes up in the call...thanks, in advance.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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From: Mia, Marcia
Sent: Wednesday, December 19, 2018 10:33 AM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Thanks Jim. OECA folks, I will let you know what Patrick relays to the group.

Marcia B Mia
Air Branch
Office of Compliance

2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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From: Lischinsky, Robert
Sent: Wednesday, December 19, 2018 9:55 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Unfortunately, I also have a conflicting meeting with my OD.

From: Chapman, Apple
Sent: Wednesday, December 19, 2018 8:11 AM
To: Kenney, James <Kenney.James@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

I have mandatory manager training that conflicts so I won't be able to make the call. I will catch up with one of you.
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Kenney, James
Sent: Wednesday, December 19, 2018 7:58 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Invite coming soon and please feel free to forward as needed among EPA folks.

Thanks,

Jim

Desk/Mobile: Personal Phone / Ex. 6

From: Mia, Marcia
Sent: Monday, December 17, 2018 11:25 AM
To: Kenney, James <Kenney.James@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Hi Jim,

Would you be able to add Apple Chapman. Rob Lischinsky and Rosemarie Kelley to this month's invite? They may be interested in hearing Patrick speak about the WY Self-Audit Agreement. Thanks.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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-----Original Appointment-----

From: Kenney, James

Sent: Monday, December 17, 2018 11:47 AM

To: Passe, Loraine; Turk, David; Kirby, Kevin; Parikh, Pooja; Elliott, Ross; Moskal, John; White, Terri-A; Smith, Brian; Hall, Richard; Jann, Stephen; Lawrence, Rob; Hildebrandt, Kurt; Albright, David; Werntz, James; Davis, Alison; Gray, David; Devito, Steve; Dressel, Paul; Letendre, Daisy; Coffman, Joel; Matuszko, Jan; Curtis, Jennifer; Hambrick, Amy; Teichman, Kevin; Bates, William; Mia, Marcia; Kobelski, Bruce; Remnek, Alexandre; Baca, Andrew; Hanson, Andrew; Pritts, Jesse; Barbery, Andrea; Beeler, Cindy; Benevento, Douglas; Bohan, Suzanne; Byrne, Andrew; Chapman, Apple; Cozzie, David; Dominguez, Alexander; Egidi, Philip; Eisele, Adam; Fite, Mark; Forsgren, Lee; Gude, Karen; Idsal, Anne; Mitchell, Ken; Morales, Monica; Patefield, Scott; Topinka, Natalie; Traylor, Patrick; Wagner, Kenneth; Woods, Clint; michael.abraczinskas@ncdenr.gov; Jesse.D.Adkins@wv.gov; Baker Allen; dallas_baker@deq.state.ms.us; andrea.balkenbush@dnr.mo.gov; Kim.Bannerman2@state.nm.us; jbarkley@mdeq.ms.gov; Bill.Bartling@conservation.ca.gov; gary.baughman@state.co.us; johnbaza@utah.gov; Lawrence Bengal; tbetz@pa.gov; alicia.boss@nebraska.gov; allan.brockenbrough@deq.virginia.gov; David Bunn; gary.burdette@dennis.burling@nebraska.gov; craig.butler@epa.ohio.gov; ccain@nd.gov; Rick Calhoon; chuck.brown@la.gov; jchambers@mt.gov; lchambers@pa.gov; ryan.channell@ncdenr.gov; Wayne Christian; Kim Christy; chris.colclasure@state.co.us; Rick Cooper; grant.cope@calepa.ca.gov; Loraine Cory; Christi.craddick@rrc.texas.gov; tracy.davis@ncdenr.gov; Dawson, Scott, EMNRD; catherine.dickert@dec.ny.gov; ldorman@pa.gov; michael.dowd@deq.virginia.gov; adunn@slo.state.nm.us; Durham, William F; wcaefta@wibauxcounty.net; lisa.ehrhart@deq.virginia.gov; bfield@nycap.rr.com; laura.finley@deq.ok.gov; donna.fisher@ks.gov; fitchh@michigan.gov; Cathy Foerster; Joe.Francis@nebraska.gov; elsie.franklin@deq.virginia.gov; jeffrey.fretwell@maryland.gov; Lavonne Garrison; kira.gillette@state.co.us; dglatt@nd.gov; steve.goans@nebraska.gov; phillip.goetze@state.nm.us; nathan.graber@dec.ny.gov; SullivanGraham, Jeri, EMNRD; ralph.gruebel@state.nm.us; Ben Grumbles; sean.hackett@state.co.us; Jim Halvorson; lacey.hardin@tn.gov; Kenneth Harris; lhelms@nd.gov; Kristen Hendricks; leo.henning@ks.gov; minor.hibbs@tceq.texas.gov; tom.higgins@state.mn.us; bridget.hill1@wyo.gov; robert.hodanbosi@epa.ohio.gov; r.hoffman_kcc.ks.gov; sheila.holman@ncdenr.gov; Homer, Pamela, NMENV; jennifer.hower@state.nm.us; justin.hsu@maryland.gov; michelle.hunter@state.nm.us; Derric.lles@usd.edu; karen.ironson@maryland.gov; James Jarrett; mark.jones@state.nm.us; tiffani.kavalec@epa.ohio.gov; Dwight Keen; Shane Khoury; lloyd.kirk@deq.ok.gov; Klemp, David; scott.kudlas@deq.virginia.gov; kent.kuster@state.co.us; Butch.Lambert@dmme.virginia.gov; ed.larrimore@maryland.gov; lawrenced6@michigan.gov; shelly.lemon@state.nm.us; Richard.leyoub@la.gov; tlivers@mt.gov; ann.lowery@state.ma.us; jim.macy@nebraska.gov; scott.g.mandirola@wv.gov; mike.mankowski@illinois.gov; Teresa.Marks@cdpr.ca.gov; james.a.martin@wv.gov; emartin@slo.state.nm.us; leah.martland@state.co.us; amatheson@utah.gov; Michael McClellan; pmcdonnell@pa.gov; tami.mcmullin@state.co.us; ken.mcqueen@state.nm.us; marian.mergist@la.gov; alec.messina@illinois.gov; julie.murphy@state.co.us; **Personal Email / Ex. 6**; lboliver@nd.gov; osborne@adeq.state.ar.us; todd.parfitt@wyo.gov; david.paylor@deq.virginia.gov; rmperry@minerals.nv.gov; scperry@pa.gov; larry.pierce@dnr.mo.gov; jmpotter@utah.gov; ronald.price@ky.gov; rretherford@dnr.in.gov; Riley, Heather, EMNRD; sectyrodriquez@calepa.ca.gov; Gary.Ross@la.gov; martha.rudolph@state.co.us; Krystal Rudolph; chona.sarte@calepa.ca.gov; Sayer, Matthias, EMNRD; dan.seamount@alaska.gov; bryan.shaw@tceq.texas.gov; Keith Sheedy; fred.shimp@dnr.state.oh.us; jesshirley@pa.gov; rick.simmers@dnr.state.oh.us; kathleen.staks@state.co.us; jstefanko@pa.gov; laurie.stevenson@epa.ohio.gov; john.stine@state.mn.us; Rene Stucky; William Sydow; Rachel.Tadlock@conservation.ca.gov; **Personal Email / Ex. 6**; Larryc.taylor@ky.gov; Kenneth.B.Taylor@ncdenr.gov; ee@ee.ok.gov; ntew@gsa.state.al.us; ethamke@mt.gov; Mick Thomas; stthomas@mt.gov; scott.thompson@deq.ok.gov;

j.david.thornton@state.mn.us; butch.tongate@state.nm.us; tegan.treadaway@la.gov;
 brandy.valdezmurphy@state.co.us; kara.valentine@nebraska.gov; nancy.vehr1@wyo.gov;
 Chris.vierrether@dnr.mo.gov; mvisher@minerals.nv.gov; michelle.b.walker@tn.gov; mwallen@mhp.energy;
 mark.watson@wyo.gov; chrisw@weiser-brown.com; deborah.wells@la.gov; Jwilliams@ncommerce.com;
 john.wood@ferc.gov; **Personal Email / Ex. 6**; vickie.woods@ncdenr.gov; lori.wrotenbery@rrc.texas.gov;
 wyganta@michigan.gov; Bruce.Yurdin@state.nm.us; zimmern6@michigan.gov; danyai@ZiaPueblo.org;
 info@standingrock.org; kirbya@utetribes.com; CATcity@taospueblo.com; fazure@fortpecktribes.net;
 edmundbaker@mhanation.com; csage@southernute-nsn.gov; hbarnes@blackfeetnation.com; russellbegaye@navajo-
 nsn.gov; donbenn@navajo-nsn.gov; andy.bessler@nau.edu; tbonnette@tunica.org; pbritton@cahtotribe-nsn.gov;
 jbrown@easternshoshone.org; dinoc@santaclarapueblo.org; paul.clarke@jemeztribe.org; scslow@utemountain.org;
 hcuthair@utemountain.org; loked@utetribes.com; aduran@pojoaque.org; chairmanfox@mhanation.com;
 dean.goggles@northernarapaho.org; alan.hatch@santaana-nsn.gov; jannhayman@osagenation-nsn.gov;
 choood@mhanation.com; mhutson@southernute-nsn.gov; giojola@lagunapueblo-nsn.gov;
 environment_picuris@pueblo.org; **Personal Email / Ex. 6**; william.lynn@osagenation-nsn.gov;
 dmartinez@puebloofacoma.org; rmartinez@sanipueblo.org; allison.mclaughlin@quinault.org;
 POI36871@isletapueblo.com; smountainflower; cnaah@kewa-nsn.us; inperce@ftbelknap.org; Boyd.Nystedt@enipc.org;
 bpargueets@utetribes.com; tammy.parker@ashiwi.org; jacob_pecos@pueblodecochiti.org; **Personal Email / Ex. 6**
 larry.phillips@ohkay.org; eugeniaquintana@navajo-nsn.gov; srydeen@nambeapueblo.org; tonys@utetribes.com;
 ootc@osagenation-nsn.gov; pstout@sfpueblo.com; **Personal Email / Ex. 6**; atwobears@standingrock.org;
 lvetter@standingrock.org; **Personal Email / Ex. 6**; cwagon@easternshoshone.org; **Personal Email / Ex. 6** Weeks, Ashley;
 andy.werk@ftbelknap.org; pawilson@easternshoshone.org; ronaldw@utetribes.com; gerry baker; Harry Birdwell; Amy
 Childers; jgadret@westar.org; Tom Moore; **Personal Email / Ex. 6** mpague@gwpc.org; Lia Parisien;
 hannah.phan@iogcc.state.ok.us; mike@iogcc.state.ok.us; Richardson, RobinH; Bowles, Jack; Grantham, Nancy; Davis,
 Patrick; Kler, Denis; clarrick@utemountain.org; Garvey, Megan; Laplante - CDPHE, Christopher; Samuel Short; Marks,
 Allison, EMNRD

Cc: Stephen Lee; Ewart, Emily; rithompson@mt.gov; Vinson, Toby; Martig, Anton (Tony); Jimmy Sparks; Paul Dubois;
 James Harcourt; Chancellor, Erin; Carey Doyle; Charlie Bock; marty.link@nebraska.gov; Mark Williams; Morlock, Nancy;
 Hesterlee, Craig

Subject: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

When: Wednesday, December 19, 2018 11:00 AM-12:00 PM (UTC-07:00) Mountain Time (US & Canada).

Where: Dial: **Conference Phone / Ex. 6** Conference ID: **Conference Phone / Ex. 6**

Hello all,

We are pleased to offer a slightly expanded agenda for our state and tribal bi-monthly call this week:

1. Welcome and announcements (Jim Kenney, Senior Policy Advisor for Oil and Gas, Office Congressional and Intergovernmental Relations, ~5 minutes)
2. EPA Self-Audit Agreement with State of Wyoming discussion (Patrick Traylor, Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance, ~15 mins)
3. Update on the Resource Conservation and Recovery Act consent decree (Civil Action No. 16-842 (JDB)) which requires the EPA to review the Subtitle D criteria regulations, 40 C.F.R. Part 257, for wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy (oil and gas wastes) and determine if regulatory updates are necessary by March 15, 2019. (Ross Elliott, Associate Division Director, Materials Recovery and Waste Management Division, Office of Land and Emergency Management, ~30 minutes)
4. Recap of action items and adjourn (Jim Kenney, ~5 mins)

You may join the call up to 15 minutes prior to the scheduled start time. To join the conference line, dial: **Conference Phone / Ex. 6**. Please provide the operator with the following conference ID: **Conference Phone / Ex. 6**. If you need assistance during the call, use the following keypad commands on your phone: *0 - Operator assistance or *6 - Self mute/unmute.

Sincerely,

Jim Kenney

--

James C. Kenney | Senior Policy Advisor for Oil and Gas

Office of Congressional and Intergovernmental Relations | Office of the Administrator | U.S. EPA

Desk/Mobile: [Personal Phone / Ex. 6] | Email: kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/16/2018 4:41:27 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: EPA - New Owner CAA Audit Program for Oil & Gas

Thanks, Chris – this is very helpful!

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
<http://www.epa.gov/compliance/complaints/index.html>

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From: Williams, Christopher
Sent: Wednesday, May 16, 2018 10:25 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: EPA - New Owner CAA Audit Program for Oil & Gas

Apple and Tim,

I have created a OneDrive folder to store received comments on the O&G Audit Program and gave you both write access. The link is:

Internal url / Ex. 6

We can upload the comments and then copy/paste the OneDrive link directly to the comment log that Tim created.

Chris